



**SPECIAL CITY COUNCIL WORKSESSION
RICHFIELD MUNICIPAL CENTER, BARTHOLOMEW ROOM
FEBRUARY 10, 2015
6:30 PM**

Call to order

1. Discussion regarding a Hennepin County Juvenile Reporting Center. (Council Memo No. 11)

Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.



**REGULAR CITY COUNCIL MEETING
RICHFIELD MUNICIPAL CENTER, COUNCIL CHAMBERS
FEBRUARY 10, 2015
7:00 PM**

INTRODUCTORY PROCEEDINGS

Call to order

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

Pledge of Allegiance

Approval of the minutes of the (1) Special City Council Meeting of January 24, 2015; (2) Special Concurrent City Council and Planning Commission Worksession of January 27, 2015; and (3) Regular City Council Meeting of January 27, 2015.

PRESENTATIONS

1. Presentation of the sewer inspection system and jetting.

COUNCIL DISCUSSION

2. Hats off to hometown hits

AGENDA APPROVAL

3. Approval of the agenda.
4. **Consent Calendar contains several separate items, which are acted upon by the City Council in one motion. Once the Consent Calendar has been approved, the individual items and recommended actions have also been approved. No further Council action on these items is necessary. However, any Council Member may request that an item be removed from the Consent Calendar and placed on the regular agenda for Council discussion and action. All items listed on the Consent Calendar are recommended for approval.**
 - A. Consideration of the approval of a resolution granting a six-month extension of the amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a public school facility within the HUB Shopping Center at 100 West 66th Street (Flex Academy).

Staff Report No. 24
 - B. Consideration of the approval of the first reading of the transitory ordinance providing for the expenditure of funds from the Special Revenue Fund for certain capital improvements and schedule public hearing and second reading for March 10, 2015.

Staff Report No. 25
 - C. Consideration of the approval of the purchase of a sewer inspection system and rolling chassis in the amount of \$238,229 plus any applicable tax, title, and license fees, consisting of the following items:
 - Sewer inspection system in the amount of \$214,671 from Flexible Pipe Tool Company.
 - Rolling chassis in the amount of \$23,558 from Midway Ford.

Staff Report No. 26
5. Consideration of items, if any, removed from Consent Calendar

PUBLIC HEARINGS

6. Public hearing and consideration of a resolution granting a Conditional Use Permit and Variances in order to allow construction of a replacement Class III Restaurant with drive-up window service at 6500 Lyndale Avenue (Wendy's).

Staff Report No. 27

CITY MANAGER'S REPORT

7. City Manager's Report

CLAIMS AND PAYROLLS

8. Claims and payrolls

Open forum (15 minutes maximum)

Each speaker is to keep their comment period to three minutes to allow sufficient time for others. Comments are to be an opportunity to address the Council on items not on the agenda. Individuals who wish to address the Council must have registered prior to the meeting.

9. Adjournment

Auxiliary aids for individuals with disabilities are available upon request. Requests must be made at least 96 hours in advance to the City Clerk at 612-861-9738.

CITY OF RICHFIELD, MINNESOTA
Office of City Manager

February 5, 2015

Council Memorandum No. 11

The Honorable Mayor
and
Members of the City Council

Subject: Hennepin County Juvenile Reporting Center – District 287
(Worksession Agenda Item No. 1)

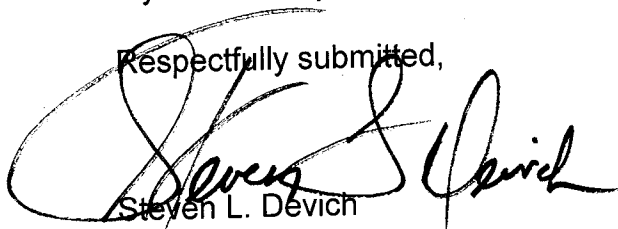
Council Members:

City staff was approached by the Hennepin County Juvenile Probation Division regarding their desire to locate a Juvenile Reporting Center at the School District 287 facility early in 2015. After a discussion including Public Safety and Hennepin County officials, staff concluded that the facility would not be an issue for Public Safety.

Staff wanted to be sure that the City Council was aware of what the Reporting Center would entail and how the County manages such operations. Discussion of the Reporting Center is scheduled for the February 10, 2015 City Council Worksession.

If you have any questions, please contact me.

Respectfully submitted,



Steven L. Devich
City Manager

SLD:ttf

Email: Department Directors
Assistant City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Special City Council Meeting Advisory Board/Commission Applicant Interviews

January 24, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 8:30 a.m. in the Babcock Room.

ROLL CALL

MEMBERS PRESENT: Debbie Goettel, Mayor; Pat Elliott, Michael Howard; Edwina Garcia; and Tom Fitzhenry.

INTERVIEW OF APPLICANTS

The City Council conducted interviews of the following applicants for appointment to City Advisory Boards and Commissions:

Ghislaine Ball	Chara Blanch	Reed Bornholdt
Paul Chillman	Mary Christenson	Erin Rykken
David Delzer	Judith Dominguez	Arthur Felgate
Sean Hayford O'leary	Rose Jost	Martin Kirsch
Mike Kuehn	Natalie Madgy	Larry Nelson
Chris Olson	Patricia Pixler	Erin Vrieze Daniels
Sue Sandahl	Ken Severson	Michele Thompson
Gordon Vizecky	Francie Fletcher	Kara Skahen

ADJOURNMENT

The meeting was adjourned by unanimous consent at 11:55 a.m.

Date Approved: February 10, 2015.

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MINUTES

Richfield, Minnesota

Special Concurrent City Council and Planning Commission Worksession

January 27, 2015

CALL TO ORDER

The concurrent worksession was called to order by Mayor Goettel at 5:45 p.m. in the Bartholomew Room.

Council Members Present: Debbie Goettel, Mayor; Michael Howard; Edwina Garcia; and Tom Fitzhenry.

Council Member Absent: Pat Elliott.

Planning Commission Present: Rick Jabs, Chair; Daniel Kitzenberger; Gordon Vizecky; Susan Rosenberg; and Charles Standfuss.

Planning Commission Members Absent: Alison Groebner and Tom Rublein.

Staff Present: Steven L. Devich, City Manager; John Stark, Community Development Director; Jim Topitzhofer, Recreation Services Director; Karen Barton, Assistant Community Development Director; Melissa Poehlman, City Planner; and Cheryl Krumholz, Executive Coordinator.

Item #1

DISCUSSION REGARDING THE AUDI DEALERSHIP PROPOSAL (COUNCIL MEMO NO.8)

Ralph Mauro, International Autos Group, discussed the preliminary designs to construct a multi-level Audi dealership on the combined four properties along I-494.

Community Development Director Stark explained the proposal is not a permitted use of the properties and would require changes in the Comprehensive Plan and in zoning.

Mr. Stark also explained the current and proposed property tax implications resulting from the project.

John Bogen, owner of the four properties, stated the multiple leases have come together and there is no interest from any other developer.

Mayor Goettel expressed concerns regarding light pollution for the neighborhood and energy efficiencies.

Item #2

DISCUSSION REGARDING A CEDAR CORRIDOR DEVELOPMENT PROPOSAL

Dean Dovolis, developer, presented the proposed East Richfield Masterplan Concept for the Cedar Corridor development, including the various project components, site assembly and financing.

Community Development Director Stark asked if the developer would be seeking an exclusive rights agreement to pursue future components. He also asked if an Audi dealership could be part of this project.

Mr. Dovolis stated other developers could work with the project's master developer. He added that the Audi dealership could be incorporated into the project's vision.

The concurrent worksession was adjourned by unanimous consent at 7:12 p.m.

Date Approved: February 10, 2015.

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



CITY COUNCIL MEETING MINUTES

Richfield, Minnesota

Regular Meeting

January 27, 2015

CALL TO ORDER

The meeting was called to order by Mayor Goettel at 7:19 p.m. in the Council Chambers.

Council Members Present: Debbie Goettel, Mayor; Michael Howard; Edwina Garcia; and Tom Fitzhenry.

Council Member Absent: Pat Elliott.

Staff Present: Steven L. Devich, City Manager; Mike Eastling, Public Works Director; Jay Henthorne, Public Safety Director; Jim Topitzhofer, Recreation Services Director; Karen Barton, Assistant Community Development Director; Pam Dmytrenko, Assistant City Manager/HR Manager; Chris Regis, Finance Manager; Mary Tietjen, City Attorney; and Cheryl Krumholz, Executive Coordinator.

OPEN FORUM

None.

PLEDGE OF ALLEGIANCE

Mayor Goettel led the audience in the Pledge of Allegiance.

APPROVAL OF MINUTES

M/Fitzhenry, S/Garcia to approve the minutes of the (1) City Council Worksession of January 13, 2015 and (2) Regular City Council Meeting of January 13, 2015.

Motion carried 4-0.

Item #1

PRESENTATION OF THE OFFICER OF THE YEAR 2014 AWARD TO RICHFIELD POLICE OFFICER DAVID MAST

Public Safety Director Henthorne presented the award.

Item #2	COUNCIL DISCUSSION <ul style="list-style-type: none">• Hats Off to Hometown Hits
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Council Member Fitzhenry acknowledged the recent shooting incident at the New Hope City Hall.

Council Member Garcia acknowledged the death of long-time Richfield resident Emily Day.

Council Member Garcia announced the following:

- Home and Garden Expo, February 21, Richfield High School,
- Optimists Club Chili and Salad Dinner, February 6, Woodlake Lutheran Church
- Mental Health for Youth Forum, March 14

Council Member Garcia also announced the Mayor's State of the City address on February 25 at the Municipal Center.

Item #3	COUNCIL APPROVAL OF AGENDA
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M/Fitzhenry, S/Garcia to approve the agenda.

Motion carried 4-0.

Item #4	CONSENT CALENDAR
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- A. Consideration of the approval of a resolution pertaining to filing of the Pay Equity Report with the MN Management and Budget Department S.R. No. 16

RESOLUTION NO. 11043

RESOLUTION PERTAINING TO FILING OF THE PAY EQUITY REPORT WITH
THE MINNESOTA MANAGEMENT AND BUDGET DEPARTMENT

This resolution appears as Resolution No. 11043.

- B. Consideration of the approval of a resolution approving the Public Purpose Expenditure Policy for fiscal year 2015 S.R. No. 17

RESOLUTION NO. 11044

RESOLUTION APPROVING THE PUBLIC PURPOSE EXPENDITURES POLICY
FOR FISCAL YEAR 2015

This resolution appears as Resolution No. 11044.

- C. Consideration of the approval of the purchase of 5 Ford Police Interceptor vehicles for Public Safety to Nelson Auto Center for \$133,149.75, plus tax, title and license fees S.R. No. 18
- D. Consideration of the approval of a resolution authorizing the City of Richfield to enter into Contract No. A142289 with Hennepin County for Sentencing to Service program services not to exceed \$72,051.20 in 2015 and not to exceed \$74,214.40 in 2016 S.R. No. 19

RESOLUTION NO. 11045

RESOLUTION AUTHORIZING THE CITY OF RICHFIELD TO ENTER INTO HENNEPIN COUNTY CONTRACT NO. A142289 WITH THE COUNTY OF HENNEPIN, STATE OF MINNESOTA FOR SENTENCING TO SERVICE (STS) PROGRAM SERVICES THROUGH DECEMBER 31, 2016

This resolution appears as Resolution No. 11045.

- E. Consideration of the approval of a resolution authorizing the removal of a special assessment in the amount of \$4,221.56 for the removal of diseased trees at 6814 Oliver Avenue South from the 2012 Diseased Tree Assessment Roll and refund the property owner in the amount of \$2,143.92 for payments made towards the assessment S.R. No. 20

RESOLUTION NO. 11046

RESOLUTION AUTHORIZING THE REMOVAL OF AN ASSESSMENT TO THE PROPERTY AT 6814 OLIVER AVENUE SOUTH FROM THE 2012 DISEASED TREE ASSESSMENT ROLL

This resolution appears as Resolution No. 11046.

M/Goettel, S/Fitzhenry to approve the Consent Calendar.

Motion carried 4-0.

Item #5	CONSIDERATION OF ITEMS, IF ANY, REMOVED FROM THE CONSENT CALENDAR
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None.

Item #6	CONSIDERATION OF A RESOLUTION APPROVING AN INTERNAL LOAN IN THE AMOUNT OF \$651,454 TO THE ICE ARENA TO FUND CONSTRUCTION OF A NEW LOCKER ROOM S.R. NO. 21
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Council Member Garcia presented Staff Report No. 21.

M/Garcia, S/Goettel that the following resolution be adopted and that it be made part of these minutes:

RESOLUTION NO. 11047

RESOLUTION AUTHORIZING \$641,454 INTERNAL LOAN TO FUND THE CONSTRUCTION OF A LOCKER ROOM AT THE CITY'S ICE ARENA

Motion carried 4-0. This resolution appears as Resolution No. 11047.

Item #7	CONSIDERATION OF AGREEMENTS WITH NON-PROFIT ORGANIZATIONS TO PROVIDE SOCIAL SERVICES TO THE CITY OF RICHFIELD AND AUTHORIZE THE CITY MANAGER TO EXECUTE AGREEMENTS FOR SOCIAL SERVICES WITH THOSE AGENCIES S.R. NO. 22
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Council Member Garcia presented Staff Report No. 22.

Assistant Community Development Director Barton stated the recommended 2015 non-profit agencies to be funded are as follows:

Organization	2015 Recommendation
Headway/Storefront	\$8,000
MIRA	\$7,000
TRAIL	\$2,000
Community Involvement Program	\$4,000
Cornerstone Advocacy	\$12,000
Loaves and Fishes	\$7,480
The Family Partnership	\$6,000
VEAP	\$18,000
Senior Community Services	\$6,000
TOTAL	\$70,480

Council Member Garcia requested that as City Council liaison to the Richfield Community Human Services Planning Council, she would like to participate in the review of the grant proposals.

Mayor Goettel agreed that the Council liaison should be included, as well as other community members, in the review of proposals.

M/Garcia, S/Howard to approve the agreements as recommended with the non-profit organizations to provide social services to the City of Richfield and authorize the City Manager to execute agreements for social services with those agencies.

Motion carried 4-0.

Item #8	CONSIDERATION OF THE APPOINTMENTS TO CITY ADVISORY COMMISSIONS S.R. NO. 23
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Council Member Howard presented Staff Report No 23.

M/Howard, S/Goettel to appoint the following persons to the City advisory commissions:

ADVISORY BOARD OF HEALTH

<u>Name</u>	<u>Term Expires</u>
Rose Jost	January 31, 2018
Erin Rykken	January 31, 2018
Chris Olson	January 31, 2018
Kara Skahen	January 31, 2018

ARTS COMMISSION

<u>Name</u>	<u>Term Expires</u>
Natalie Madgy	January 31, 2018
Larry Nelson	January 31, 2018

CIVIL SERVICE

<u>Name</u>	<u>Term Expires</u>
Francie Fletcher	January 31, 2018

COMMUNITY SERVICES COMMISSION

<u>Name</u>	<u>Term Expires</u>
Reed Bornholdt	January 31, 2018
Michele Thompson	January 31, 2018
Arthur Felgate	January 31, 2018
Kenneth Severson	January 31, 2018

FRIENDSHIP CITY COMMISSION

<u>Name</u>	<u>Term Expires</u>
Mary Christenson	January 31, 2018
Patricia Pixler	January 31, 2018
Dave Delzer	January 31, 2018

HUMAN RIGHTS COMMISSION

<u>Name</u>	<u>Term Expires</u>
Chara Blanch	January 31, 2018
Martin Kirsch	January 31, 2018
Anthony (Mike) Kuehn	January 31, 2018
Judith Dominguez (youth)	August 29, 2015

PLANNING COMMISSION

<u>Name</u>	<u>Term Expires</u>
Sean Hayford O'Leary	January 31, 2018
Erin Vrieze-Daniels	January 31, 2018
Gordon Vizecky	January 31, 2018

TRANSPORTATION COMMISSION

<u>Name</u>	<u>Term Expires</u>
Paul Chillman	January 31, 2018
Ghislaine Ball	January 31, 2018
Suzanne M. Sandahl	January 31, 2018

Motion carried 4-0.

Item #9	CITY MANAGER'S REPORT
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City Manager Devich requested the City Council to consider selecting dates for the following special meetings:

- Annual City Council and City staff goalsetting session
- Richfield School Board and City Council Study Session (at the School District office)
- Meeting with the local Legislators (breakfast)

Item #10	CLAIMS AND PAYROLLS
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M/Fitzhenry, S/Goettel that the following claims and payrolls be approved:

U.S. Bank		01/27/15
A/P Checks: 237629-238016	\$	1,183,902.34
Payroll: 107304-107629	\$	614,869.93
TOTAL	\$	1,798,772.27

Motion carried 4-0.

OPEN FORUM

None.

ADJOURNMENT

The City Council open meeting was adjourned by unanimous consent at 8:12 p.m.

Date Approved: February 10, 2015

Debbie Goettel
Mayor

Cheryl Krumholz
Executive Coordinator

Steven L. Devich
City Manager



STAFF REPORT NO. 24

CITY COUNCIL MEETING

2/10/2015

REPORT PREPARED BY:

Matt Brillhart, Planning Technician

DEPARTMENT DIRECTOR REVIEW:

John Stark, Community Development Director

OTHER DEPARTMENT REVIEW:

N/A

CITY MANAGER REVIEW:

Steven L. Devich

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of a resolution granting a six-month extension of the amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a public school facility within the HUB Shopping Center at 100 West 66th Street (Flex Academy).

EXECUTIVE SUMMARY:

On February 11, 2014 the City Council approved an amendment to the Planned Unit Development for HUB Shopping Center allowing Flex Academy to operate a public charter school in the space previously occupied by Bally Total Fitness. Due to a one-year delay in the timeline for opening the school, construction of the project was delayed to 2015. Land use approvals expire one year after being issued, unless substantial work on the project has been performed, or the applicant requests an extension.

On behalf of Flex Academy, Jeffrey Agnes of Aarchitects submitted the attached letter requesting a six-month extension of land use approvals related to this project. The applicant has provided staff with a construction schedule indicating that the project is intended to be underway this month. Substantial completion of the project is anticipated by spring.

RECOMMENDED ACTION:

By Motion: Approve a six-month extension of the amended Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a public school facility within the HUB Shopping Center at 100 West 66th Street.

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT:**

None.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

- The term of City approvals is one year. If a project for which approvals have been granted is not substantially underway within one year, the applicant must request an extension from the City Council.
- The City Council may grant an extension of up to one year.

C. **CRITICAL TIMING ISSUES:**

- **60-DAY RULE:** The 60-day clock 'started' when a complete application was received on February 2, 2015. A decision is required by April 3, 2015 OR the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.
- The applicant's approvals are scheduled to expire on February 11, 2015.

D. **FINANCIAL IMPACT:**

The required processing fee has been paid.

E. **LEGAL CONSIDERATION:**

N/A

ALTERNATIVE RECOMMENDATION(S):

Deny an extension of the land use approvals. The applicant will have to begin the land use approval process anew.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Flex Academy representative(s)

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Resolution	Resolution Letter
<input type="checkbox"/>	Applicant Letter Requesting Extension	Exhibit
<input type="checkbox"/>	Previously Approved Resolution No. 10916 (2/11/2014)	Backup Material

RESOLUTION NO. _____

**RESOLUTION GRANTING AN EXTENSION
TO THE AMENDED PLANNED UNIT DEVELOPMENT,
FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT
TO ALLOW A PUBLIC SCHOOL FACILITY
WITHIN THE “HUB” SHOPPING CENTER
AT 100 WEST 66TH STREET**

WHEREAS, by Resolution No. 10916, adopted on February 11, 2014, the City Council approved an amended planned unit development, final development plan, and conditional use permit at 100 West 66th Street; and

WHEREAS, Subsections 547.09, Subdivision 9 of the Richfield City Code requires that substantial construction be completed within one year of approval, less the approval expire or the applicant requests and is granted an extension; and

WHEREAS, the City staff has received a request from Architects (the “Applicant”), on behalf of Flex Academy, for a six-month extension; and

WHEREAS, the City Council wishes to provide the additional time requested.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Richfield, as follows:

1. The City Council extends the approvals granted by Resolution No. 10916 for a period not to exceed six months.
2. The deadline for “substantial construction” is hereby extended to August 11, 2015.

Adopted by the City Council of the City of Richfield, Minnesota this 10th day of February, 2015.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

Aarchitects LLC
100 Portland Ave. South
Suite 100
Minneapolis, MN 55401

612 371-6440 T
612 332-0710 F

jagnes@aarchitectsllc.com

January 29, 2015

Mr. Matt Brillhart

City of Richfield
6700 Portland Ave.
Richfield, MN 55423

Mr. Brillhart:

Regarding the K-12 Flex Academy project located at 100 66th St. W. at the Hub Center in Richfield, MN, we have submitted for a construction permit which we have not yet received; in order to avoid any delays, we request to extend the land use approval that was granted on February 11, 2014. Please find, attached, a check in the amount of \$125 for the associated extension fee.

We anticipate starting construction immediately after receipt of our permits.

Aarchitects LLC,



Jeffrey P. Agnes AIA
JPA/jpa

Cc: Zach Wasilew - K12
Greg Duginski - Midwest Maintenance and Mechanical

RESOLUTION NO. 10916

**RESOLUTION APPROVING AN
AMENDMENT TO THE PLANNED UNIT DEVELOPMENT,
FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT
TO ALLOW A PUBLIC SCHOOL FACILITY
WITHIN THE "HUB" SHOPPING CENTER
AT 100 WEST 66TH STREET WEST**

WHEREAS, an application has been filed with the City of Richfield which requests an amendment to the Planned Unit Development, Final Development Plan and Conditional Use Permit to allow a public school to occupy the 26,185 square foot building within the HUB Shopping Center development legally described in Exhibit A; and

WHEREAS, the public school would serve approximately 300 students in grades 6-12; and

WHEREAS, the Planning Commission of the City of Richfield recommended approval of the requested amendment at its January 27, 2014 meeting; and

WHEREAS, the requested amendment meets those requirements necessary for approving a Planned Unit Development as specified in Richfield's Zoning Code, Section 542.09, Subd. 3 and as detailed in City Council Staff Report No. 43; and

WHEREAS, the requested amendment meets those requirements necessary for approving a Conditional Use Permit as specified in Richfield's Zoning Code, Section 547.09, Subd.6 and detailed in City Council Staff Report No. 43; and

WHEREAS, the City has fully considered the request for approval of the amended Planned Unit Development, Final Development Plan and Conditional Use Permit.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. An amended Planned Unit Development, Final Development Plan and Conditional Use Permit are issued to allow a public school, as described in City Council Staff Report No. 43, in the 26,185 square foot building on the Subject Property legally described in Exhibit A.
2. This amended Planned Unit Development, Final Development Plan and Conditional Use Permit is subject to the following conditions:
 - a) That the applicant schedule a follow-up meeting with the City Engineer to discuss the adequacy of the approved draft traffic plan within eight weeks of opening for class.
 - b) A bicycle rack that can accommodate a minimum of three bicycles is required to be maintained at all times.

- c) That the applicant obtains a permit from the Public Works Department prior to any work within the right-of-way.
- d) That parking lot screening in the form of large planters is installed per the approved landscape plan dated 2/3/14.
- e) Required planters in front of the building and within right-of-way must be continuously maintained and include live plant materials during the spring, summer and fall and décor over the winter.
- f) Sign permits must be applied for separately. This resolution does not constitute approval of any signs.
- g) That the conditions and stipulations of all previously approved plans not specifically changed through this amendment remain effective.
- h) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated January 7, 2014 and compliance with all other City and State regulations.
- i) That the recipient of this amended Planned Unit Development, Final Development Plan and Conditional Use Permit record this resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subdivision 1 and Richfield Zoning Code 547.09, Subdivision 8.
- j) Prior to the issuance of an occupancy permit, the applicant shall:
 - a) Submit a copy of the recorded resolution; and
 - b) Submit a surety equal to 125% of the value of any landscaping and/or site improvements (based on two bids including labor cost) not yet complete.

3. The Planned Unit Development, Final Development Plan and Conditional Use Permit shall remain in effect for so long as conditions regulating it are observed, and shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the Zoning Ordinance, Section 547.09, Subd. 9.

Adopted by the City Council of the City of Richfield, Minnesota this 11th day of February, 2014.


Debbie Goettel, Mayor

ATTEST:



Theresa Schyma, Deputy City Clerk

EXHIBIT A

Lots 2 and 3, Block 1, Richfield Hub Superblock, according to the recorded plat thereof, Hennepin County, Minnesota.

Together with that part of vacated Pleasant Avenue described as follows:

All that part of the Southeast Quarter of the Northwest Quarter of Section 27, Township 28, Range 24, Hennepin County described as follows:

Beginning at the most northerly northwest corner of Lot 3, Block 1, Richfield Hub Superblock, as platted and of record in the office of the County Recorder; thence South 00 degrees 20 minutes 18 seconds West, assumed bearing, along the westerly line of said Lot 3, a distance of 142.11 feet; thence South 89 degrees 56 minutes 52 seconds West, a distance of 30.00 feet, to the most westerly line of said Lot 3; thence North 00 degrees 20 minutes 18 seconds East along the northerly extension of said most westerly line, a distance of 142.11 feet to the westerly extension of the most northerly line of said Lot 3; thence along said westerly extension 30.00 feet to the point of beginning.

Together with all that part of said Southeast Quarter of the Northwest Quarter described as follows:

Commencing at the intersection of the southerly extension of the westerly line of said Lot 3 and the southerly line of said Southeast Quarter of the Northwest Quarter; thence North 00 degrees 20 minutes 18 seconds East along said southerly extension a distance of 183.00 feet to the most westerly southwest corner of said Lot 3 and the actual point of beginning of the land to be described; thence North 89 degrees 59 minutes 52 seconds East along the southerly line of said Lot 3 a distance of 48.13 feet to a westerly line of said Lot 3; thence South 00 degrees 25 minutes 38 seconds West a distance of 33.00 feet to the most southerly southwest corner of said Lot 3; thence North 89 degrees 59 minutes 52 seconds East along the southerly line of said Lot 3 a distance of 253.99 feet to the southeast corner of said Lot 3; thence South 00 degrees 25 minutes 38 seconds West along the westerly line of Lot 2 said Block 1 and its southerly extension a distance of 107.00 feet to a line drawn parallel with and 43.00 feet northerly of said southerly line of Southeast Quarter of the Northwest Quarter; thence South 89 degrees 59 minutes 52 seconds West parallel with said southerly line of said Southeast Quarter of the Northwest Quarter a distance of 35.90 feet; thence North 00 degrees 20 minutes 18 seconds East a distance of 27.00 feet; thence North 89 degrees 59 minutes 52 seconds East parallel with said southerly line of said Southeast Quarter of the Northwest Quarter a distance of 15.00 feet to a line drawn parallel with and 282.00 feet easterly of said southerly extension of the westerly line of said Lot 3; thence North 00 degrees 20 minutes 18 seconds East along said parallel line a distance of 71.56 feet to the north line of the south 141.56 feet of said Southeast Quarter of the Northwest Quarter; thence South 89 degrees 59 minutes 52 seconds West along said north line of the south 141.56 feet a distance of 282.00 feet to said southerly extension of the westerly line of said Lot 3; thence North 00 degrees 20

minutes 18 seconds East along said southerly extension a distance of 41.44 feet to the point of beginning.



STAFF REPORT NO. 25 **CITY COUNCIL MEETING**

2/10/2015

REPORT PREPARED BY:

Chris Regis, Finance Manager

DEPARTMENT DIRECTOR REVIEW:

Steven L. Devich, City Manager

OTHER DEPARTMENT REVIEW:

Jim Topitzhofer, Recreation Services Director

CITY MANAGER REVIEW:

Steven L. Devich

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of the first reading of the transitory ordinance providing for the expenditure of funds from the Special Revenue Fund for certain capital improvements and schedule public hearing and second reading for March 10, 2015.

EXECUTIVE SUMMARY:

As part of the Capital Improvement Budget and annual City Budget process, certain special revenue funds are allocated each year to fund capital projects identified through the budget process.

The source of the special revenue funds are profits derived from the City's Liquor Store operation. These profits are transferred to the Liquor Contribution Special Revenue Fund.

Before the funds within the Special Revenue Fund can be used for the identified capital projects, the City Charter requires that a transitory ordinance be used to authorize the expenditure of the funds. In addition, the ordinance process allows for public input through a public hearing.

The proposed funding for 2015 totals \$450,000 and encompasses several park and recreation related projects.

Finally, staff is requesting approval for the use of funds within the Park Maintenance Project Fund, used to complete two projects. These projects were completed using unspent special revenue funds from prior years.

This Park Maintenance Project Fund is used to account for the various park projects and where the special revenues are transferred to fund those projects. The two completed projects are as follows: \$9,200 for Ice Arena Training Room Skate Tile; and \$7,600 for Veteran's Park Building restroom improvements.

RECOMMENDED ACTION:

By Motion: Approve first reading of the transitory ordinance providing for the expenditure of funds from the Special Revenue Fund for certain capital improvements and schedule public hearing and second reading for March 10, 2015.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT:

- At the December 9, 2014 City Council meeting, the City Council authorized \$450,000 of Special Revenue Funds for improvements to several City capital improvements in 2015.
- Included in the \$450,000 are:

- \$45,000 for Major Park Maintenance Projects
- \$250,000 Community Bandshell
- \$5,000 Wood Lake Fence Repair & Tree Removal
- \$25,000 Vets Park Play Equipment Replacement
- \$75,000 Garfield Park Play Equipment Replacement
- \$50,000 Arena Lobby Skate Tile
- In addition, staff is requesting use of funds within the Park Maintenance Project Fund be used for two completed projects. The projects are Ice Arena Training Room Skate Tile at a cost of \$9,200; and \$7,600 for Veteran's Park Building restroom improvements.
- The 2015 Capital Improvement Budget also provides for expenditures for all types of funds contained in the budget including municipal state aid, user fees, federal grants and state grants.
- Authorization by ordinance is not required for expenditures other than Special Revenues.

B. POLICIES (resolutions, ordinances, regulations, statutes, exc):

- City Charter Section 7.12, Subd. 2 requires that Special Revenue Funds used for capital improvements must be authorized by ordinance.
- This process provides for public input through a public hearing.

C. CRITICAL TIMING ISSUES:

- Under Section 3.09 of the City Charter, a transitory ordinance becomes effective 30 days after publication of the second hearing notice.
- The ordinance requirements must be completed early enough in 2015 so that the capital projects can be initiated on a timely basis, completed and the funds expended.
- It is suggested that the first reading of the transitory ordinance take place on February 10, 2015 and a public hearing and second reading be completed at the March 10, 2015 City Council meeting.

D. FINANCIAL IMPACT:

- While the total 2015 Capital Improvements Budget (CIB) includes total budgeted expenditures of \$14,705,000 the portion of CIB concerning proposed funding from the Special Revenue fund is \$450,000.

○ Major Park Maintenance Projects	45,000
○ Community Bandshell	250,000
○ Wood Lake Fence Repair & Tree Removal	5,000
○ Vets Park Play Equipment Replacement	25,000
○ Garfield Park Play Equipment Replacement	75,000
○ Arena Lobby Skate Tile	50,000
- In addition, the following uses of funds within the Park Maintenance Project Fund are requested to be used for the following completed projects:

○ Ice Arena Training Room Skate Tile	\$9,200
○ Veteran's Park Building Restroom Improvements	\$7,600
- A transitory ordinance is necessary to finalize these appropriations pursuant to City Charter.
- The source of Special Revenue funds is municipal liquor profits.

E. LEGAL CONSIDERATION:

The City Charter requires that a transitory ordinance be used to authorize the expenditure of Special Revenue funds.

ALTERNATIVE RECOMMENDATION(S):

- The City Council could postpone the first reading of the transitory ordinance to a future City Council meeting.
- The City Council could decide to authorize none or only a portion of the expenditures identified from special revenue in the CIB.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None.

ATTACHMENTS:

Description		Type
	Transitory Ordinance	Ordinance

BILL NO.

TRANSITORY ORDINANCE NO.

**AN ORDINANCE PROVIDING FOR THE EXPENDITURE OF MONEY FROM
THE SPECIAL REVENUE FUND FOR CERTAIN CAPITAL IMPROVEMENTS**

CITY OF RICHFIELD DOES ORDAIN:

Section 1: It is found and determined to be necessary and expedient for the City to expend money from the Special Revenue Fund for the making of capital improvements listed in Section 2 hereof, for which the City would be authorized to issue general obligation bonds.

Section 2: The capital improvements and amounts of expenditures for such improvements which are authorized to be paid from the Special Revenue Fund under Section 7.12, Subdivision 2 of the City Charter, are as follows:

Major Park Maintenance Projects	\$ 45,000
Community Bandshell	\$ 250,000
Wood Lake Fence Repair & Tree Removal	\$ 5,000
Vets Park Play Equipment Replacement	\$ 25,000
Garfield Park Play Equipment Replacement	\$ 75,000
Arena Lobby Skate Tile	\$ 50,000

Section 3: Unexpended funds within the Park Maintenance Project Fund to be used for the following:

Ice Arena Training Room Skate Tile	\$9,200
Veteran's Park Building restroom improvement	\$7,600

Section 4: The expenditures herein authorized shall be made pursuant to such contracts as are authorized from time to time by Council action.

Passed by the City Council of the City of Richfield this 10th day of February, 2015.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk



STAFF REPORT NO. 26
CITY COUNCIL MEETING

2/10/2015

REPORT PREPARED BY: Robert Hintgen, Utilities Superintendent
DEPARTMENT DIRECTOR REVIEW: Mike Eastling, Public Works Director
OTHER DEPARTMENT REVIEW: N/A
CITY MANAGER REVIEW: Steven L. Devich

ITEM FOR COUNCIL CONSIDERATION:

Consideration of the approval of the purchase of a sewer inspection system and rolling chassis in the amount of \$238,229 plus any applicable tax, title, and license fees, consisting of the following items:

- **Sewer inspection system in the amount of \$214,671 from Flexible Pipe Tool Company.**
- **Rolling chassis in the amount of \$23,558 from Midway Ford.**

EXECUTIVE SUMMARY:

The City of Richfield Wastewater Maintenance Division maintains 180 miles of sanitary sewer and storm water collection systems. The sewer inspection system enables the Division to inspect the collection systems, using a camera and video display, and plays a vital role in the City's sewer maintenance program. The existing inspection equipment has been extended beyond its useful life and is obsolete.

The new sewer inspection system will be a vehicle-mounted system that includes lateral launch technology, which allows staff to inspect sewer services (laterals) from the vehicle versus entering the property. The inspection system will also allow staff to:

- Complete inspections to identify potential failures and plan routine operations and maintenance.
- Investigate problem incidents to select remedial action.
- Inspect new or renewed sewers to insure that construction has met specifications and to document as-built conditions.
- Investigate for Inflow/Infiltration (I&I).

RECOMMENDED ACTION:

By motion: Approve the purchase of a sewer inspection system and rolling chassis in the amount of \$238,229 plus any applicable tax, title, and license fees, consisting of the following items:

- **Sewer inspection system in the amount of \$214,671 from Flexible Pipe Tool Company.**
- **Rolling chassis in the amount of \$23,558 from Midway Ford.**

BASIS OF RECOMMENDATION:

A. **HISTORICAL CONTEXT:**

In 1993, the City purchased its first sewer inspection system that consisted of an enclosed pull-behind trailer. In 2002, this trailer was renovated with new equipment.

B. **POLICIES (resolutions, ordinances, regulations, statutes, exc):**

The City of Richfield participates in the Minnesota State Cooperative Purchasing Program. Flexible Pipe Tool Company and Midway Ford are included in the Minnesota State Cooperative Purchasing Program.

C. **CRITICAL TIMING ISSUES:**

- Approval at the February 10, 2015 Council meeting will facilitate delivery of the sewer inspection system and rolling chassis.
- The State of Minnesota Cooperative Purchasing Program for the rolling chassis expires on October 15, 2015.
- The State of Minnesota Cooperative Purchasing Program for the sewer inspection system expires on December 15, 2015.

D. **FINANCIAL IMPACT:**

- The approved 2015 Wastewater budget contains \$175,000 (line item 52000-7400) for the purchase of the sewer inspection system and rolling chassis.
- The additional \$63,229 will be included in the revised 2015 Wastewater budget.
- This purchase does not impact the General Fund.

E. **LEGAL CONSIDERATION:**

When the purchase of materials, merchandise, equipment, or construction exceeds \$100,000 authority to purchase shall be submitted to the City Council for consideration.

ALTERNATIVE RECOMMENDATION(S):

Council may delay approval to a later meeting. Delayed approval, however, will result in delayed delivery.

PRINCIPAL PARTIES EXPECTED AT MEETING:

None



STAFF REPORT NO. 27 **CITY COUNCIL MEETING**

2/10/2015

REPORT PREPARED BY: Melissa Poehlman, City Planner

DEPARTMENT DIRECTOR REVIEW: John Stark, Community Development Director

OTHER DEPARTMENT REVIEW: None

CITY MANAGER REVIEW: Steven L. Devich

ITEM FOR COUNCIL CONSIDERATION:

Public hearing and consideration of a resolution granting a Conditional Use Permit and Variances in order to allow construction of a replacement Class III Restaurant with drive-up window service at 6500 Lyndale Avenue (Wendy's).

EXECUTIVE SUMMARY:

The owners of the Wendy's restaurant at the corner of 65th Street and Lyndale Avenue are requesting approval to demolish the existing building and construct a new building that is approximately 200 square feet larger. Wendy's indicates a proposed seating capacity of 75 people. The proposal will bring the site into compliance with trash storage, landscaping and equipment screening requirements and improve internal site circulation and the overall appearance of the building. Pedestrian access to the site will also be improved.

Items such as parking lot setbacks and landscaped islands within the parking lot remain nonconforming, but do not increase in their degree of nonconformity. Wendy's is asking for variances and/or consideration related to three items that do not comply with Code requirements:

1. Decreased distance of order station from a residential property (from 55 feet to 47.9 feet).
2. Decreased front setback (from 36 feet to 32.9 feet), and
3. Reduced parking (from 34 to 33 spaces).

The proposed plans significantly improve compliance with current regulations and vehicle safety and circulation. Staff finds that the requested variances are in keeping with the underlying intent of the zoning regulations involved and no negative impacts related to these requests are anticipated. Finally, there will be no changes to kitchen equipment that would trigger the addition of an odor control system; however, the applicant has indicated that Wendy's facilities do address this issue through industry best practices. Based on these findings, staff recommends approval of the proposal.

RECOMMENDED ACTION:

Conduct and close a public hearing and by motion: Approve the attached resolution granting a Conditional Use Permit and Variances in order to allow construction of a replacement Class III Restaurant with drive-up window service at 6500 Lyndale Avenue.

BASIS OF RECOMMENDATION:

A. HISTORICAL CONTEXT:

The property at 6500 Lyndale Avenue has been operated as a Wendy's fast food restaurant with drive-thru service since 1979. The original restaurant was approved with 74 seats and 34 parking spaces. In 1987, the Council approved the addition of the solarium to the front of the building, thereby increasing the seating capacity to 90. The site is legally nonconforming in regard to a variety of site requirements including parking, landscaping and setbacks.

B. POLICIES (resolutions, ordinances, regulations, statutes, exc):

There are a number of different review criteria that apply to this proposal. A full discussion of all requirements has been included as an attachment to this report.

Drive-up service criteria:

Uses that provide drive-up window or teller service are conditionally permitted in the General Business (C-2) District. There are five specific criteria related to such uses. With the exception of the minimum separation requirement for elements of the drive-up service from residential property (150 ft.), all criteria are met. The existing drive-thru equipment is legally nonconforming with a setback of 55 ft. from the adjoining Market Plaza/Village Shores property line. The applicant has requested a variance to allow a further reduction to 47.9 ft. Staff believes that the criteria necessary to approve this variance are met; specifically the fact that the order station will remain 227 ft. from the residential portion of the adjacent building. A full discussion of the variance criteria related to this request is included in the attached requirements document.

Conditional Use Permit:

There are eight specific criteria for the issuance of a Conditional Use Permit. These criteria primarily address whether or not a proposal is consistent with the goals of the City's Comprehensive Plan and Zoning Code and the general regulations of the district in which it is located. The Mixed Use designation of the Comprehensive Plan and the General Business Zoning Designation accommodate a wide variety of uses of which restaurant with drive-thru service are one. With the exception of the items for which Wendy's has requested variances, staff believes these criteria are met.

General Business District and Performance Standards:

The proposed new building and site design improve upon a number of existing conditions, although there are instances where due to the size and shape of the parcel, current criteria cannot be met. Trash facilities will now be incorporated into the space of the building, landscaping and screening will be greatly improved, a designated pedestrian entrance to the site from Lyndale Avenue will be added, sidewalks and boulevards will be brought up to current standards and the building facade in general will be greatly improved. Staff believes that one of the most important improvements will be to internal circulation through the creation of a one-way drive aisle system that will prevent awkward vehicle movements by vehicles trying to enter the drive-thru queue from the 65th Street entrance.

- **Front building setback:** Wendy's is requesting a variance to allow the front building setback to be reduced from the existing (complying) 36 feet to 32.9 feet. While the general front setback in the C-2 District is 35 feet, in 2011 the Council approved a stipulation that allows for a reduction to as little as 5 feet when a customer entrance is provided on the adjacent building wall. The proposal does not include a customer entrance on this eastern wall; however, pedestrian access will be provided from the improved Lyndale Avenue sidewalk and the customer entrance will be moved over 10 feet closer to this sidewalk. Staff believes that this meets the intent of the setback reduction allowance and supports the requested variance. Variance requirements are further articulated in the attached document.
- **Parking:** The existing restaurant is legally nonconforming in regard to parking. In 1987, the City approved a 90-seat, 2,788 square foot restaurant with 34 parking spaces. The City no longer calculates parking based on seating, due to the potential for variability, and current standards would require 43 parking spaces (includes a 10% reduction for transit). Properties which are legally nonconforming in regard to parking and looking to expand can provide additional parking for the added space only - in this case, the additional space (198 square feet) would require 3 additional parking spaces - for a total of 37 spaces. Of this 198 square feet; however, only 8 square feet have been added to the dining area. The Code also allows applicants to request a modification of the required number of parking spaces by submitting a study of anticipated parking prepared by a professional engineer or an equally qualified individual. The applicant has submitted a letter from Wendy's Real Estate Director indicating that the proposed parking ratios meet corporate requirements. Staff supports the reduction by one stall based on the fact that The Wendy's Company has extensive knowledge of customer habits and the amount of parking that is necessary to meet their operational needs. This knowledge is based on a widespread and prolific network of restaurants throughout the country.

Additional items of note:

The recommended approval is conditioned upon a number of items that are specifically address in the attached resolution. In addition to the standard items, the following stipulations have been included:

- An as-built survey including an unrecorded easement at the corner must be recorded with Hennepin County prior to the issuance of a certificate of occupancy;
- A final landscape plan approved by the Community Development Department is required;
- All utilitarian items, including the cooler, must be designed into the interior space of the building (applicant has acknowledged and work is underway to meet this stipulation);
- Pedestrian lighting in keeping with the Lakes at Lyndale area is required;
- Continue to explore/discuss options for pedestrian access between site and Market Plaza parcel; and
- Pedestrian crossing of drive aisle from Lyndale Avenue sidewalk will require specialized treatments to enhance visibility and safety.

C. **CRITICAL TIMING ISSUES:**

60-DAY RULE: The 60-day clock 'started' when a complete application was received on January 12, 2015. A decision is required by *March 13, 2015* OR the Council must notify the applicant that it is extending the deadline (up to a maximum of 60 additional days or 120 days total) for issuing a decision.

D. **FINANCIAL IMPACT:**

None

E. **LEGAL CONSIDERATION:**

- A public hearing was also held before the Planning Commission on January 26, 2015 .
- Notice of both required public hearings was published in the Sun Current newspaper and mailed to properties within 350 feet of the site.
- No members of the public spoke before the Planning Commission.
- The Planning Commission recommended approval of the requests (7-0).

ALTERNATIVE RECOMMENDATION(S):

- Approve the attached resolution with modifications.
- Deny the requests with findings that requirements are not met.

PRINCIPAL PARTIES EXPECTED AT MEETING:

Jerad Ducklow for Wendy's FourCrown, Inc.

ATTACHMENTS:

Description		Type
<input type="checkbox"/>	Resolution	Resolution Letter
<input type="checkbox"/>	Requirements document	Backup Material
<input type="checkbox"/>	Proposed plans	Exhibit
<input type="checkbox"/>	Parking reduction letter	Exhibit
<input type="checkbox"/>	Planning & Zoning Maps	Backup Material

RESOLUTION NO. _____

**RESOLUTION GRANTING APPROVAL
OF A CONDITIONAL USE PERMIT
AND VARIANCES AT
6500 LYNDAL AVENUE**

WHEREAS, an application has been filed with the City of Richfield which requests approval of conditional use permit for a Class III Restaurant with Drive-up Service on the parcel of land located at 6500 Lyndale Avenue (the "Property"), legally described in the attached Exhibit A; and

WHEREAS, the proposed conditional use permit includes a building with a front setback of 32.9 feet and equipment related to drive-up service that is 47.9 feet from residentially zoned property;

WHEREAS, the City Codes require either a minimum building setback of 40 feet or a pedestrian entrance along the adjacent wall in order to reduce a front building setback;

WHEREAS, Minnesota Statutes Section 462.357, Subdivision 6, provides for the granting of variances to the literal provisions of the zoning regulations in instances where their enforcement would cause "practical difficulty" to the owners of the property under consideration; and

WHEREAS, based on the findings below, the Richfield City Council approves the requested variances from Richfield Zoning Code Subsections 534.07, Subd. 5(b) and 534.11, Subd. 2(b); and

WHEREAS, the City has fully considered the request for approval for the conditional use permit; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Richfield, Minnesota, as follows:

1. The City Council makes the following general findings:
 - a. The Property is zoned General Business.
 - b. The existing building is legally nonconforming and could be replaced as it is.
 - c. The proposed site plan will improve or fully comply with the following requirements which are currently unmet: internal circulation, drive aisle dimensions, landscaping, impervious surface, screening of utilitarian items, parking screening, architectural standards, pedestrian access and bicycle parking.
 - d. Code states that all aspects of a drive-up service window must be located a minimum of 150 feet from residential property. The proposed drive-up ordering station is located 47.9 feet from residential property. A variance from Subsection 534.07, Subd. 5(b) is required.
 - e. Code states that front building setbacks may be reduced from 35 feet to 5 feet when a customer entrance is provided along the adjacent wall. The proposed building is set back 32.9 feet from the property line and no customer entrance is provided along this front wall. A variance from Subsection 534.11, Subd. 2(b) is required.

2. With respect to the application for variances from the above-listed requirements, the City Council makes the following findings:
 - a. Strict enforcement of Richfield Zoning Code Subsections 534.07, Subd. 5(b) and 534.11, Subd. 2(b) would cause a practical difficulty. The applicant is proposing to use the site in the same manner that it has been used historically. The applicant has proposed site improvements that will in most cases improve overall compliance with current Code requirements. Alternatively, the applicant could replace the existing building under State nonconformity laws.
 - b. Unique circumstances affect the Property that were not created by the land owner. The size, shape and topography of the site make it impossible for the applicant to meet all Code requirements simultaneously. These circumstances were not created by the applicant.
 - c. Granting the requested variances will not alter the essential character of the neighborhood. The requested variances will allow the applicant to significantly improve the site and are likely to go entirely unnoticed by neighbors and customers. The front setback reduction is a matter of three feet and the drive-up ordering station will remain over 200 feet from the residential portion of the adjacent building.
 - d. The variances requested are the minimum necessary to alleviate the practical difficulty. The proposed variances will allow for the redevelopment of a constrained site.
3. With respect to the proposed conditional use permit, the City Council makes the following findings:
 - a. The proposed site plan is consistent with the elements and objectives of the City's development guides, including the Comprehensive Plan and any redevelopment plans established for the area.
 - b. The proposed use of the site for Class III Restaurant with Drive-up Service is consistent with the purposes of the Code, which allows for a wide variety of retail and service businesses.
 - c. The proposed use will be in compliance with Code guidelines related to performance standards (excepting the above-requested variances).
 - d. Undue adverse impacts to government services are not anticipated.
 - e. The proposed use and variances serve to avoid potential adverse impacts.
4. Based upon the above findings, variances are hereby approved to permit a 32.9-foot front building setback and a 47.9-foot setback from the drive-up ordering station to the adjacent residential property.
5. Based upon the above findings and variances, the proposed conditional use permit is hereby approved according to the terms of Richfield City Code Subsection 547.09, Subdivision 6, with the following additional stipulations:
 - a) That the applicant provide an as-built survey including all easements prior to the issuance of a certificate of occupancy ;
 - b) That the applicant submit revised plans wherein all utilitarian items, including the freezer/cooler are designed into the interior space of the building;
 - c) Final parking stall and aisle dimensions must be approved by the Community Development and Engineering Departments;
 - d) Final landscape plans must be approved by the Community Development Department;
 - e) Final site lighting plans must be approved by the Community Development Department;

- f) Pedestrian lighting in keeping with Public Works standards along Lyndale Avenue must be installed;
 - g) The applicant must continue to explore options for a pedestrian connection to the adjacent parcel to the south;
 - h) That all parking stalls (33) must be maintained and free of snow year round;
 - i) That approval of this conditional use permit does not include approval of any signs. Sign permits must be applied for separately;
 - j) The applicant is responsible for obtaining all required permits, compliance with all requirements detailed in the City's Administrative Review Committee Report dated 12/23/14, and compliance with all other City and State regulations. Permits are required prior to commencement of any work;
 - k) That the applicant record the 10' x 10' easement for sidewalk, utility and drainage behind the property line along 65th Street as required by initial 1978 approvals;
 - l) A maintenance agreement related to sidewalks, landscaping and pedestrian lighting must be executed prior to issuance of a certificate of occupancy.
 - m) That the recipient of this conditional use permit record this Resolution with the County, pursuant to Minnesota Statutes Section 462.36, Subd. 1 and the City's Zoning Ordinance Section 546.05, Subd. 7. Proof of recording is required prior to the issuance of a building permit;
 - n) Prior to the issuance of an occupancy permit, the applicant shall submit a surety equal to 125% of the value of any landscaping improvements (based on two bids including labor cost) not yet complete.
6. This conditional use permit shall remain in effect for so long as conditions regulating it are observed, and the conditional use permit shall expire if normal operation of the use has been discontinued for 12 or more months, as required by the City's Zoning Ordinance, Section 547.09, Subd. 9.

Adopted by the City Council of the City of Richfield, Minnesota this 10th day of February 2015.

Debbie Goettel, Mayor

ATTEST:

Elizabeth VanHoose, City Clerk

EXHIBIT A

Parcel 1: Tract A, Registered Land Survey No. 1318, Hennepin County, Minnesota.

(torrens property, certificate of title no. 1218940)

Parcel 2: That part of Tract B, Registered Land Survey No. 1318, Hennepin County, Minnesota, lying Easterly and Northerly of the following described line: Beginning at the Southwest corner of Tract A, Registered Land Survey No. 1318; thence Southerly along the Southerly extension of the Westerly line of Tract A, a distance of 8.82 feet; thence Easterly deflecting left 82 degrees 13 minutes 28 seconds to the Easterly line of said Tract B and there terminating.

(torrens property, certificate of title no. 1218940)

Code Requirements / Required Findings

Part 1 – Class III (drive-up service) restaurant in General Business (C-2)

District: The findings necessary to approve a Class III restaurant in the C-2 District are as follows (534.07, Subd. 7).

1. *Queuing space for at least four cars (70 feet) shall be provided per drive-up service lane, as measured from but not including the first drive-up service window, teller or order station. Such queuing shall not interfere with parking spaces or traffic circulation.* This requirement is met.
2. *Any drive-up service window, teller or order station, or exterior loudspeaker shall be located at least 150 feet from any residential parcel.* The applicant has requested a variance from this requirement. Variance requests are discussed in Part 3 below.
3. *Exterior speakers shall comply with the noise control limits set by Section 930 of the City Code.* The applicant is aware of this requirement.
4. *The applicant shall demonstrate that such use will not significantly lower the existing level of service on streets and intersections.* Public Works has reviewed the proposed site plan and negative impacts are not anticipated.
5. *Alcoholic beverages shall not be served.* This requirement is met.

Part 2 – Conditional Use Permit: The findings necessary to issue a Conditional Use Permit (CUP) are as follows (547.09, Subd. 6):

1. *The proposed use is consistent with the goals, policies, and objectives of the City's Comprehensive Plan.* This property is guided for Mixed Use which accommodates a wide variety of retail and service uses. This proposal is consistent with the City's desire to improve Richfield's "downtown."
2. *The proposed use is consistent with the purposes of the Zoning Code and the purposes of the zoning district in which the applicant intends to locate the proposed use.* The purpose of the Zoning Code is to protect and promote the public health, safety, comfort, aesthetics, economic viability, and general welfare of the City. The purpose of the General Business (C-2) District is to allow a wide variety of commercial businesses that are attractive and compatible with nearby residential properties. The proposal is consistent with these purposes.
3. *The proposed use is consistent with any officially adopted redevelopment plans or urban design guidelines.* The proposed use is consistent with the Lakes at Lyndale plan.
4. *The proposed use is or will be in compliance with the performance standards specified in Section 544 of this code.* The proposed development either maintains the status quo or improves on all performance standards requirements with the exception of the front building setback. The applicant has requested a

variance from this requirement. Variance requests are discussed in Part 3 below.

5. *The proposed use will not have undue adverse impacts on governmental facilities, utilities, services, or existing or proposed improvements.* The City's Public Works and Engineering Departments have reviewed the proposal and do not anticipate any issues.

6. *The use will not have undue adverse impacts on the public health, safety, or welfare.* Adequate provisions have been made to protect the public health, safety and welfare.

7. *There is a public need for such use at the proposed location.* Investment in and improvement of existing local businesses is necessary to maintain a healthy community.

8. *The proposed use meets or will meet all the specific conditions set by this code for the granting of such conditional use permit.* This requirement is met.

Part 3 - Variances: The findings necessary to approve a variance are as follows (Subd. 547.11):

1. *There are "practical difficulties" that prevent the property owner from using the property in a reasonable manner.*
2. *There are usual or unique circumstances that apply to the property which were not created by the applicant and do not apply generally to other properties in the same zone or vicinity.*
3. *The variance would not alter the character of the neighborhood or the locality.*
4. *The variance is the minimum necessary to alleviate the practical difficulty.*
5. *The variance is in harmony with the general purpose and intent of the ordinance and consistent with the Comprehensive Plan.*

Order station setback

The applicant has requested a variance to reduce the distance of the drive-thru ordering station from residential property by 7.1 feet (from 55 feet to 47.9 feet). Code requires a minimum of 150 feet between ordering stations and residential property.

Criteria 1: There is an existing order station that is 55 feet from the residential property to the west. That said, the actual residential portion of this mixed use site will remain 227 feet from the order station. It is reasonable to replace and slightly reduce this setback distance given the particulars of adjacent mixed use site.

Criteria 2: The intent of the setback regulation is to protect residential neighbors from noise that may be generated by a drive-thru service window or its components. In this case, the zoning of the adjacent property is residential, but the site is used for both residential and commercial purposes and the part of building that residential is outside of the required setback area. The adjacent parcel could have been legitimately zoned commercial and built in the same manner, but this setback requirement would not apply. The intent of the ordinance is met either way.

Criteria 3: The proposed variance is not expected to have any impact on the character of the neighborhood.

Criteria 4: The proposed variance is the minimum necessary.

Criteria 5: The proposed reduction does not conflict with the purpose and/or intent of the Comprehensive Plan or the Ordinance.

Front building setback

The applicant has requested a variance to reduce the front building setback to 32.9 feet. Code requires a minimum setback of 35 feet unless a customer entrance is provided along encroaching wall.

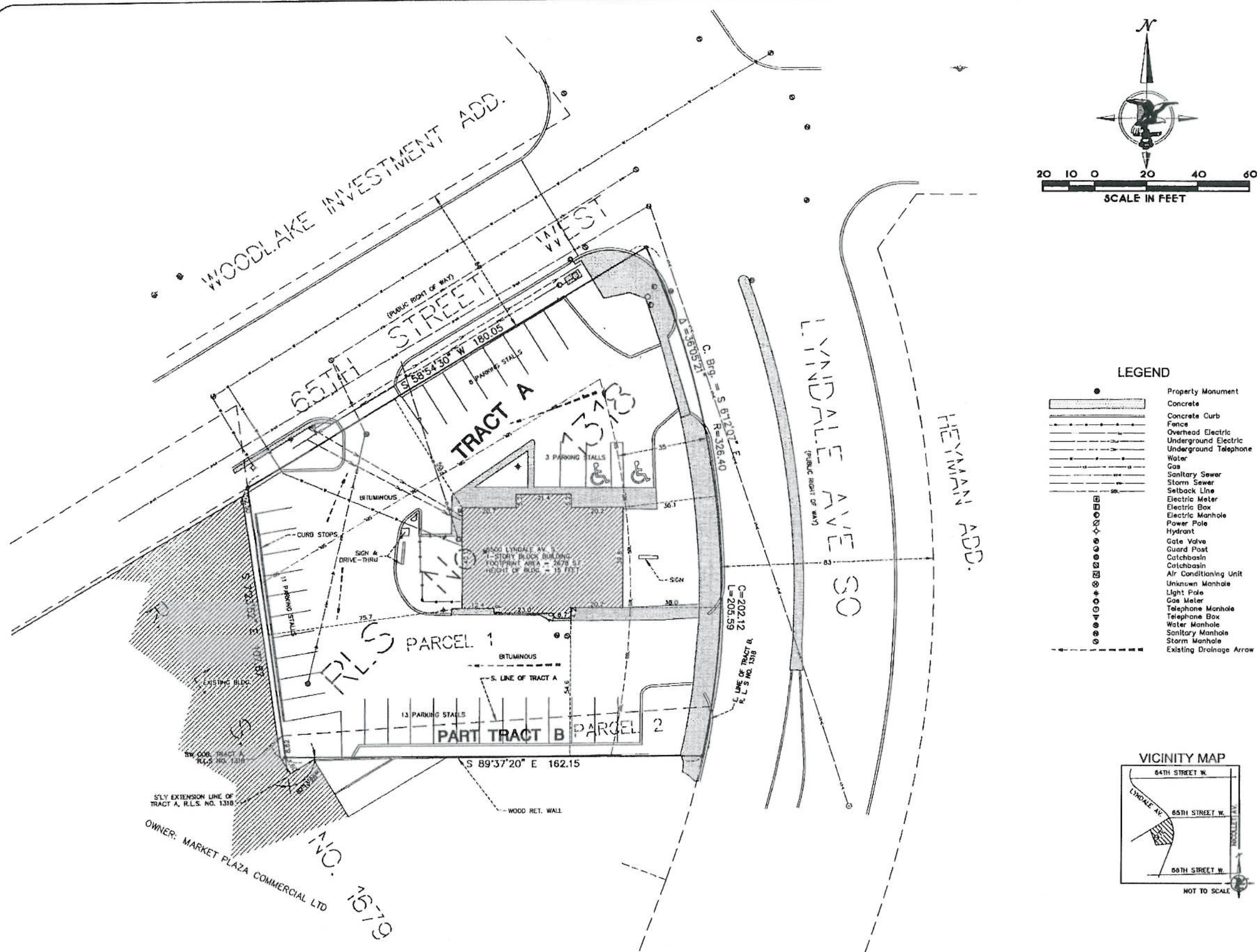
Criteria 1: The existing customer entrance is more than 10 feet farther back from the sidewalk along Lyndale Avenue. The applicant is improving the situation.

Criteria 2: The shape and topography of this site make internal circulation difficult. In order to address this, the applicant is proposing a one-way drive aisle system to avoid continued awkward and dangerous vehicle movements on the north side of the building. In order to accommodate the required parking, new directional island and drive aisle the building must extend forward slightly.

Criteria 3: The proposed variance is not expected to have a negative impact on the character of the neighborhood.

Criteria 4: The proposed variance is the minimum necessary to accommodate a restaurant that is already reducing seating.

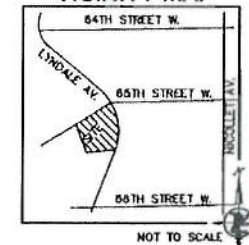
Criteria 5: The proposed reduction does not conflict with the purpose and/or intent of the Comprehensive Plan or the Ordinance.



LEGEND

	Property Monument
	Concrete
	Concrete Curb
	Fence
	Overhead Electric
	Underground Electric
	Underground Telephone
	Water
	Gas
	Sanitary Sewer
	Storm Sewer
	Setback Line
	Electric Meter
	Electric Box
	Electric Manhole
	Power Pole
	Hydrant
	Gate Valve
	Guard Post
	Catchbasin
	Catchbasin
	Air Conditioning Unit
	Unknown Manhole
	Light Pole
	Gas Meter
	Telephone Manhole
	Telephone Box
	Water Manhole
	Sanitary Manhole
	Storm Manhole
	Existing Drainage Arrow

VICINITY MAP



LEGAL DESCRIPTION

Parcel 1:
Tract A, Registered Land Survey No. 1318, Hennepin County, Minnesota.
(torrens property, certificate of title no. 1218940)

Parcel 2:
That part of Tract B, Registered Land Survey No. 1318, Hennepin County, Minnesota, lying Easterly and Northerly of the following described line: Beginning at the Southwest corner of Tract A, Registered Land Survey No. 1318; thence Southerly along the Southerly extension of the Westerly line of Tract A, a distance of 8.62 feet; thence Easterly deflecting left 82 degrees 13 minutes 28 seconds to the Easterly line of said Tract B and there terminating.

(torrens property, certificate of title no. 1218940)
Note: This legal description has been taken from First American Title Insurance Company, Commitment Number NCS-392080-MPLS, dated March 11, 2009.

GENERAL NOTES:

- The bearing system used is based on the plot of R.L.S. No. 1318.
- The location of the underground utilities shown herein, if any, are approximate only. PURSUANT TO MINN. STAT. § 169.01, SUBD. 1, A CALL AT (612) 454-0002 PRIOR TO ANY EXCAVATION.
- Subject property is identified as being in "Zone K, Area of Minimal Flooding" on Flood Insurance Rate Map, Community-Panel No. 2705300360E, effective date September 2, 2004.
- Zoning = Presently C-2 (General Commercial District) per City of Richfield.
- Building setback requirements per City of Richfield. Shown on survey: Front = 30', Rear = 0', Side = 0', Side or Rear Adjoining street = 20'.
Parking Spaces Required for fast food restaurants: 17 spaces per 1,000 S.F. gross floor area. Approximately 2,000 S.F. interior gross floor area, requires 34 spaces.
- The zoning and setback information shown on this survey are per city's webpage on April 15, 2006. No representation is made for the accuracy or completeness of said third party information. This firm is not an expert in the interpretation of complex zoning ordinances, compliance is beyond the scope of this survey. Any user of said information is urged to contact the local agency directly.
- Site area = 27,354 square feet = 0.628 acres.
- There are a total of 38 striped parking stalls on said property, of which there are 2 designated as handicap.
- All field measurements matched recorded dimensions within the precision requirements of ALTA/ACSM specifications.
- This survey was made on the ground and in accordance with the Minimum Standard Detail Requirements for Land Title Surveys as adopted by ALTA and ACSM.

LAND TITLE SURVEY

ALTA/ACSM
for:
GARY STROM
WENDY'S Site
SITE: 6500 LYNDAL AVE. SO.
RICHFIELD, MINNESOTA
PRINTED

JUN 24 2009

HARRY S. JOHNSON CO., INC.

CERTIFICATION:

To E. M. Strom & O. Strom Trust, NearCo II, LLC, its successors and assigns, and First American Title Insurance Company.

This is to certify that this map or plot and the survey on which it is based were made in accordance with the "Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys," jointly established and adopted by ALTA and NSPS in 2000, including Table A Items 1-4, 6, 7(b)(1), 7(b)(2), 7(c), 8-11(b), 13, 16-18. Pursuant to the Accuracy Standards as adopted by ALTA and NSPS and in effect on the date of this certification, undersigned further certifies that in my professional opinion, as a land surveyor registered in the State of Minnesota, the fieldwork Positional Accuracy of this survey does not exceed that which is specified therein; and that in locating or identifying recorded easements or other recorded documents I have relied upon Commitment for Title Insurance issued by First American Title Insurance Company, having an effective date of March 11, 2009 and bearing the number NCS-392080-MPLS.

Dated: May 18, 2009

Thomas E. Hodert, L.S.
Thomas E. Hodert, L.S.
Minn. Reg. No. 23677



SURVEY PERFORMED BY:
HARRY S. JOHNSON CO., INC.
LAND SURVEYORS & CONSULTANTS
9063 Lyndale Avenue South
Bloomington, Mn. 55420
(952) 884-5341
(952) 884-5344 Fax
Email: tom@hjsurveyors.com
Web: www.hjsurveyors.com

HARRY S. JOHNSON CO., INC.
LAND SURVEYORS & CONSULTANTS
BLOOMINGTON, MINNESOTA
PHONE: 952-884-5341 FAX: 952-884-5344

SURFACING LEGEND

ASPHALT PAVEMENT*

1.5" E-1 SURFACE COURSE

2.0" E-1 BINDER COURSE

7" C.A.B.C.

12" COMPACTED SUB-BASE

*** CONCRETE PAVEMENT IS TO BE INCLUDED AS ALTERNATE BID ITEM. AS AN ALTERNATE TO ASPHALT PAVEMENT**

SITE DATA

ZONING:
C-2 GENERAL COMMERCIAL (CLASS III RESTAURANT)

SITE AREAS
TOTAL SITE: 27,354 S.F. (0.628 ACRES)

EXISTING SITE
EX. IMPERVIOUS: 23,483 S.F.
EX. PERCENT IMPERVIOUS: 85%

<u>PROPOSED SITE</u>	
ROOFTOP:	3,506 S.F.
PAVEMENT:	16,762 S.F.
PATIO:	1,047 S.F.
SIDEWALK:	1,133 S.F.
TOTAL IMPERVIOUS:	22,448 S.F.
PERCENT IMPERVIOUS	82%
OPEN SPACE	4,906 S.F.

PROVIDED PARKING: 33 SPACES (2 ADA ACCESSIBLE)

SETBACKS (C-2):
FRONT: 35 FT
STREET CORNER SIDE: 25 FT
SIDE: 0 FT
REAR: 5 FT

LIGHTING:
LIGHTING WILL CONSIST OF DOWNCAST SHIELDED LIGHTING ON THE BUILDING AND LIGHT POLES WITHIN THE PARKING LOT.

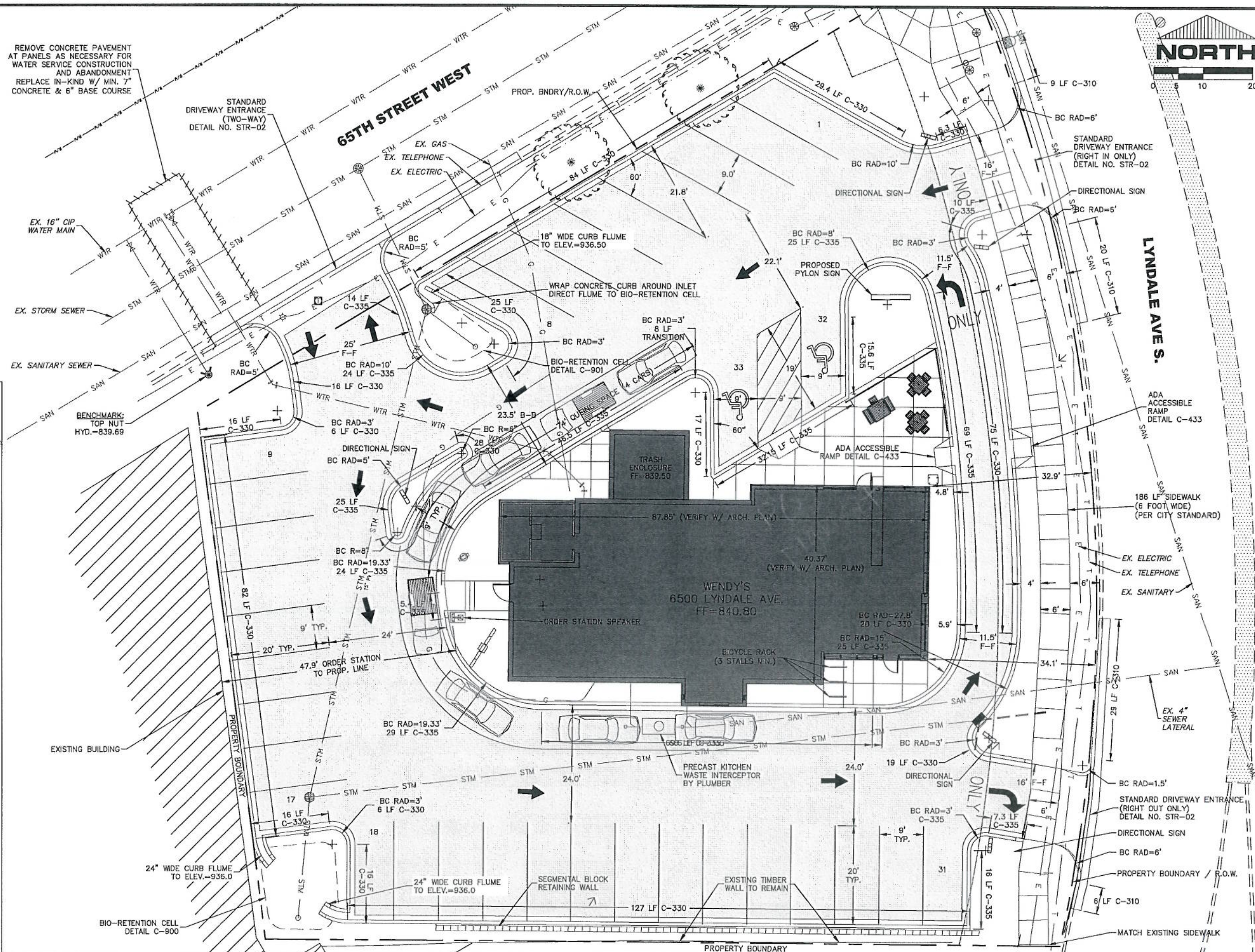
SCREENING:
A TRASH ENCLOSURE MATCHING THE FACADE OF THE BUILDING
WILL BE CONNECTED TO THE BUILDING

DEVELOPMENT PROCESS:
THE SITE WILL BE DEVELOPED IN A UNIFORM AND LINEAR
PROCESS. TYPICAL OF SINGLE STRUCTURE CONSTRUCTION.

PRIVATE UTILITIES:
ROUTING WILL BE PROVIDED TO ACCOMMODATE ELECTRIC, GAS,
DATA, AND PHONE UTILITIES TO THE BUSINESS


SIGNS:
THE EXISTING PYLON SIGN WILL BE UPDATED & RELOCATED ON SITE AND THE LOW PROFILE DIRECTIONAL SIGNS WILL BE PLACED AT EACH ENTRANCE/EXIT.

PAVEMENT;
AN ALTERNATE BID ITEM FOR CONCRETE PAVEMENT WILL BE
AN OPTION IN-PLACE OF THOSE AREAS SHOWN AS ASPHALT
PAVEMENT.



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: SEAN P. BOHAN LICENSE # 46834

SIGNATURE:  DATE: 1/2/15

PROJ. NO.
14237

AEC
ADVANCED ENGINEERING CONCEPTS

635 FAIRFAX ST
ALTOONA, WI 54720
PH 715-552-0330

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AEC LLC.

SITE PLAN

WENDY'S SITE PLAN 2015
WENDY'S FOURCROWN INC.
6500 LYNDALE AVE. SO.
RICHFIELD, MN

DWG NAME 14237 C2-1 SITE
DATE 1/2015

C2.1

UNDERGROUND UTILITY LOCATIONS
TO BE VERIFIED BY CONTRACTOR

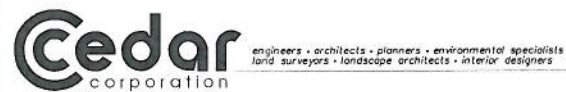


NOTE:

- SEE SHEET L1-2 FOR PLANTING SCHEDULE, LANDSCAPE NOTES AND PLANT INSTALLATION DETAILS.

IRRIGATION NOTES:

- CONTRACTOR SHALL DESIGN, FURNISH & INSTALL A COMPLETE UNDERGROUND LAWN & PLANTING BED AUTOMATIC SPRINKLER SYSTEM INCLUDING ALL NECESSARY FULLY AUTOMATIC CONTROL SYSTEM & CONTROL ELECTRIC WIRING FOR SPRINKLER SYSTEM IN ACCORDANCE W/ MANUFACTURER'S INSTRUCTIONS. INSTRUCT OWNER IN WRITTEN FORM ON PROPER OPERATIONS & MAINTENANCE OF TOTAL SYSTEM.
- UNDERGROUND SPRINKLER CONTRACTOR SHALL HAVE A MINIMUM OF 3 YEARS OF CONTINUOUS SATISFACTORY EXPERIENCE IN THE INSTALLATION OF UNDERGROUND SPRINKLER SYSTEMS.
- THE CONTRACTOR SHALL PROVIDE A OPERATIONS & MAINTENANCE MANUAL & INSTRUCTIONS TO OWNERS REPRESENTATIVE.
- THE CONTRACTOR SHALL PROVIDE AN ADEQUATE SIZED PVC PIPES UNDER THE PROPOSED PAVEMENTS TO ACCOMMODATE IRRIGATING ALL AREAS.
- THE CONTRACTOR SHALL PROVIDE A SPRINKLER SYSTEM THAT PROVIDES ADEQUATE COVERAGE FOR ALL AREAS SHOWN ON THE PLAN TO PROVIDE A HEALTHY VIGOROUS GROWING ENVIRONMENT FOR ALL EXISTING & PROPOSED PLANT MATERIAL.
- THE CONTRACTOR SHALL FOLLOW ALL STATE & LOCAL ORDINANCES.
- THE ENTIRE SPRINKLER SYSTEM INCLUDING ALL PARTS & LABOR SHALL BE GUARANTEED FOR ONE YEAR AFTER FINAL ACCEPTANCE OF THE PROJECT. ANY REPAIRS REQUIRED IN THE ONE YEAR GUARANTEE PERIOD SHALL BE DONE AT NO COST TO THE OWNER.
- THE CONTRACTOR SHALL IN THE FALL FOLLOWING INSTALLATION, DRAIN THE ENTIRE SYSTEM FOR WINTER & THE FOLLOWING SPRING SHALL PUT THE SYSTEM BACK INTO OPERATION WITHOUT COST TO THE OWNER.



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PRINT NAME: SEAN P. BOHAN

LICENSE # 46834

DATE:

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14237

AEC
ADVANCED ENGINEERING CONCEPTS

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LANDSCAPE PLAN

WENDY'S SITE PLAN 2015
WENDY'S FOURCROWN INC.
6500 LYNDALE AVE. SO.
RICHFIELD, MN

DWG NAME
14237 C2-1
SITE
DATE
1/2015

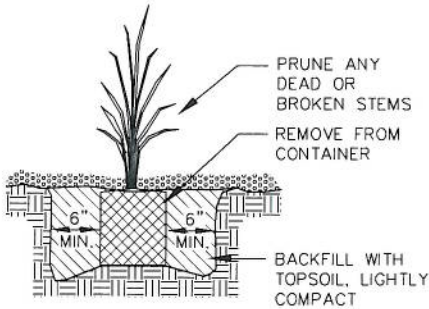
L1-1

LANDSCAPE NOTES:

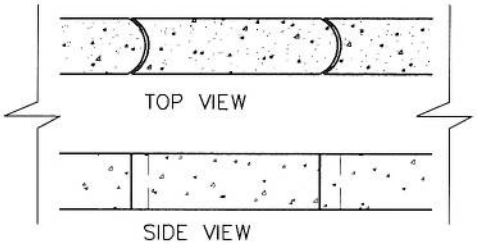
- THE CONTRACTOR SHALL VERIFY ALL EXIST. CONDITIONS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING LOCATIONS OF EXIST. UTILITIES.
- USE GEOTEXTILE FABRIC WEED BARRIER UNDER ALL PLANTING BED MULCH UNLESS OTHERWISE NOTED.
- USE 1-1/2" WASHED AGGREGATE STONE MULCH IN PLANTING BEDS, 3" DEPTH. STONE MULCH SHALL BE CLEAN, & FREE FROM DELETERIOUS MATERIALS, STICKS, STONES, NOXIOUS WEEDS, SALT & FINE SILTS, CLAYS OR TOPSOIL.
- USE SHREDDED BARK MULCH AT ALL SINGULARLY PLANTED TREES, MIN. 3" DEPTH, 4' DIA.
- TOP OF MULCH IN PLANTING BEDS SHALL BE EVEN W/ TOP OF SURROUNDING SURFACES.
- IF DISCREPANCIES OCCUR, PLANT QUANTITIES SHOWN ON PLAN TAKE PRECEDENCE OVER PLANTING SCHEDULE.
- ALL PLANT MATERIAL SHALL HAVE A ONE YEAR WARRANTY AGAINST DEATH & UNHEALTHY CONDITION, EXCEPT AS A RESULT OF NEGLECT BY OWNER, DAMAGE BY OTHERS & UNUSUAL PHENOMENA BEYOND CONTRACTOR'S CONTROL. PLANT WARRANTY SHALL BEGIN ON THE DATE OF FINAL ACCEPTANCE OF THE PROJECT.
- ALL PLANTS SHALL CONFORM TO THE VARIETIES SPECIFIED IN THE PLANT LIST & SHALL BE TRUE TO BOTANICAL NAME AS IN HORTUS THIRDS.
- ALL PLANTS INCLUDING THEIR ROOTS SHALL BE FREE FROM DISEASE INSECTS & OTHER INJURIOUS QUALITIES & SHALL BE WELL FORMED, FULL, IN A HEALTHY VIGOROUS GROWING CONDITION, REAR OR AT SPECIMEN QUALITY.
- ALL PLANTS SHALL BE SUBJECT TO INSPECTION BY THE OWNERS REPRESENTATIVE UPON DELIVERY. ANY PLANTS DEEMED NOT ACCEPTABLE BY THE OWNERS REPRESENTATIVE SHALL BE REMOVED FROM THE SITE & REPLACED WITH ACCEPTABLE MATERIAL.
- ANY ADDITIONAL TOPSOIL NEEDED FOR INSTALLING THE TREES & SHRUBS AS PER THE PLANTING DETAIL SHALL BE CONSIDERED INCIDENTAL TO THE PLANT MATERIAL PRICE.
- TOPSOIL SHALL CONSIST OF A HUMUS-BEARING LOAM ADAPTED TO SUSTAIN VIGOROUS GRASS GROWTH FREE FROM DELETERIOUS MATERIALS W/ A Ph RANGE OF 6.0 TO 7.0. TOPSOIL NOT MEETING THESE REQUIREMENTS SHALL BE AMENDED AT NO ADDITIONAL COST.
- PERENNIAL BED SHALL RECEIVE A MINIMUM OF 18" OF PLANTING SOIL EXCLUDING THE BIO-RETENTION CELLS.
- PLANTING SOIL SHALL CONSIST OF 50% CLEAN, FERTILE FRIABLE NATURAL LOAM FREE FROM DELETERIOUS MATERIALS WITH A Ph VALUE BETWEEN 6.0 % 7.0 MIXED WITH ONE POUND OF 10-6-4 FERTILIZER PER CUBIC YARD OF TOPSOIL; THEN ADD 25% PEAT MOSS & 25% CLEAN COURSE SAND. MIX ALL COMPONENTS THOROUGHLY BEFORE BACKFILLING.
- SHREDDED BARK MULCH SHALL BE FRESHLY SHREDDED HARDWOOD BARK FREE FROM DELETERIOUS MATERIALS, STICKS, STONES, NOXIOUS WEEDS, SALT & OTHER MATERIALS HARMFUL TO PLANT GROWTH. SHREDDED BARK MULCH SHALL BE EITHER COMPOSTED OR TREATED WITH NITROGEN TO COMPENSATE FOR SUCH LOSS IN DECOMPOSITION.
- ANY PLANTS DELIVERED TO THE PROJECT SITE THAT ARE NOT INSTALLED THE SAME DAY SHALL BE "HEALED IN" W/ TOPSOIL, WOOD CHIPS, SHREDDED BARK, OR SAWDUST & ADEQUATELY WATERED UNTIL SUCH TIME THE PLANTS CAN BE INSTALLED.
- CONTRACTOR SHALL BE RESPONSIBLE FOR WATERING ALL PLANT MATERIAL INCLUDING GRASS OR SOD FOR TWO WEEKS AFTER FINAL ACCEPTANCE OF PROJECT. WATER SHALL BE PROVIDED IN AN ADEQUATE AMOUNT TO SUSTAIN VIGOROUS PLANT GROWTH.
- SOD ALL DISTURBED AREAS OVER 6" OF TOPSOIL NOT COVERED BY HARD SURFACES OR LANDSCAPE BEDS.
- SOD SHALL BE A NORTHERN-GROWN HARDY MIX WITH APPROXIMATELY 40% KENTUCKY BLUEGRASS.

PLANTING SCHEDULE

KEY	QTY.	COMMON NAME	BOTANIC NAME	SIZE	ROOT	REMARKS
ABM	1	AUTUMN BLAZE MAPLE	ACER x FREEMANII 'JEFFERSRED'	4,1/2" DIA.	B&B	FULL
HB	1	HACKBERRY	CELTIS OCCIDENTALIS	3,1/2" DIA.	B&B	FULL
SH	1	SKYLINE HONEYLOCUST	GLEDITSIA TRIACANTHOS INTERMIS 'SKYCOLE'	2,1/2" DIA.	B&B	FULL
RB	1	RIVER BIRCH	BETULA NIGRA	2" DIA.	B&B	CLUMP
ISL	4	IVORY SILK LILAC	SYRINGA RETICULATA 'IVORY SILK'	6' HT.	B&B	SINGLE TRUNK
PC	1	PRAIRIFIRE CRAB	MALUS 'PRAIRIFIRE'	1,1/2" DIA.	B&B	FULL
AJ	10	ANDORRA JUNIPER	JUNIPERUS HORIZONTALIS 'COMPACTA'	24" SP.	#5 CONT.	FULL
AW	6	ANTHONY WATERER SPIREA	SPIREA x BUMALDA 'ANTHONY WATERER'	18" HT.	#3 CONT.	FULL
GFS	17	GOLDFLAME SPIREA	SPIREA x BUMALDA 'GOLDFLAME'	18" HT.	#3 CONT.	FULL
AM	2	AUTUMN MAGIC BLACK CHOKEBERRY	AROMIA MELANOCARPA 'AUTUMN MAGIC'	18" HT.	#3 CONT.	FULL
OL	3	ORCHID LIGHTS AZALEA RHODODENDRON	RHODODENDRON 'ORCHID LIGHTS'	18" HT.	#3 CONT.	FULL
AJS	15	AUTUMN JOY SEDUM	SEDUM SPECTABILE 'AUTUMN JOY'	12" SP.	#1 CONT.	24"OC
BM	9	BUTTERFLY MILKWEED	ASCLEPIAS TUBEROSA	4" POT	#1 CONT.	28" OC
SDL	15	STELLA d' ORO DAYLILLY	HEMEROCALLIS 'STELLA	8" HT.	#1 CONT.	28" OC
GH	15	GREEN HOSTA	HOSTA IANCIFOLIA	12" PS.	#SP4	28" OC
BS	12	PRAIRIE BLAZINGSTAR	LIATRIS PYCNOSTACHYA	4"	#SP4	30"OC
MM	5	MARSH MILKWEED	ASCLEPIAS INCARNATA	4"	#SP4	30" OC
BL	11	BLUE LOBELIA	LOBELIA SIPHILITICA	4"	#SP4	28" OC
AS	13	AWL-FRUITED SADGE	CAREX STIPATA	4"	#SP4	30" OC
PD	16	PRAIRIE DROPSEED	SPOROBOLUS HETEROLEPIS	4"	POT	24"OC



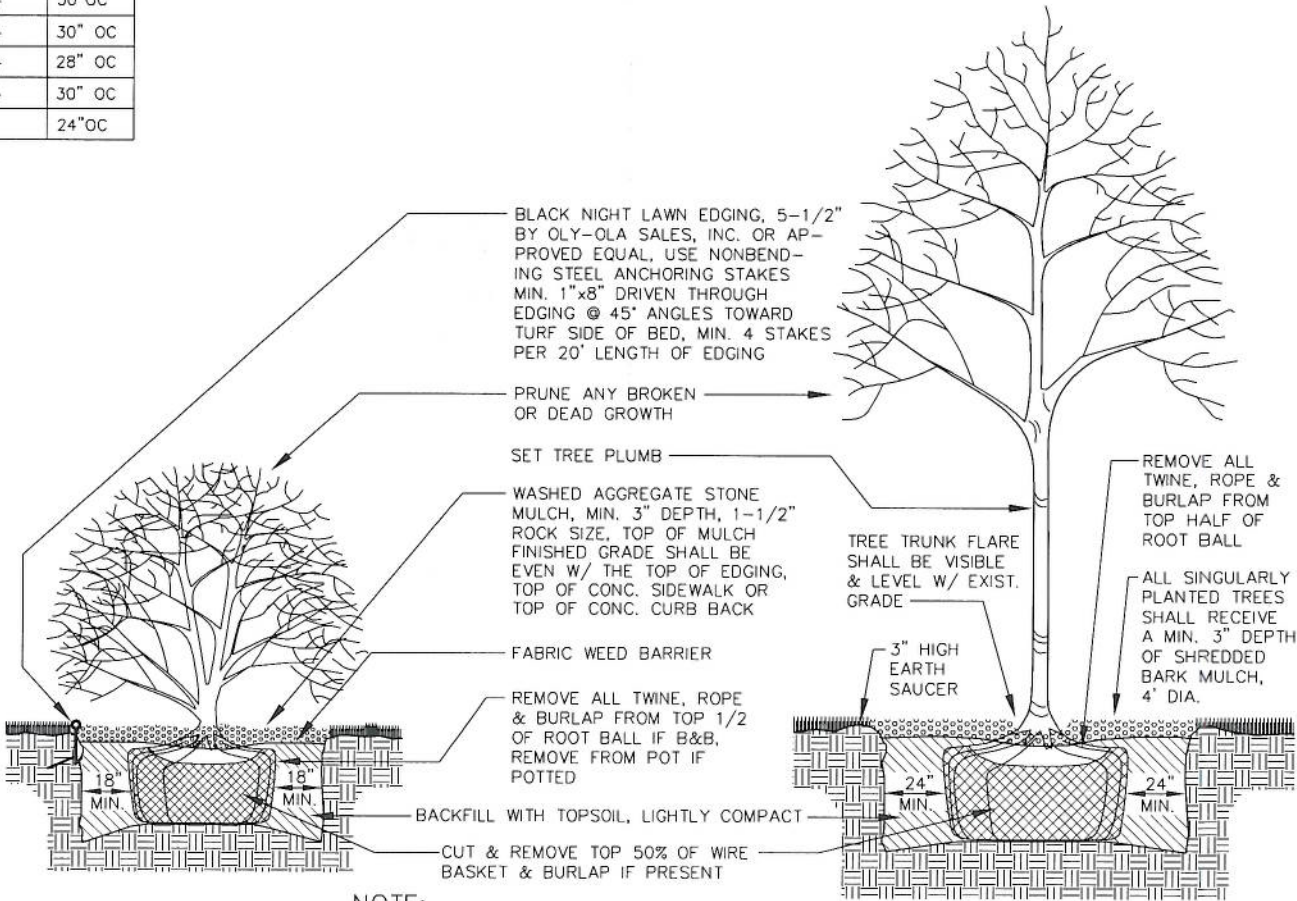
PERENNIAL, GRASS & VINE PLANTING DETAIL
NO SCALE



BULLET EDGER

NO SCALE

- NOTES:
- BULLET EDGER, 3-5/8"x11-3/4"x3-5/8"HT.
 - BULLET EDGER SHALL BE GRAY IN COLOR.
 - INSTALL TOP OF CONCRETE BULLET EDGER FLUSH W/ FINISHED GRADE.



NOTE:
ALL PLANT MATERIAL SHALL BE IN ACCORDANCE WITH ANSI Z60.1, LATEST ADDITION.

TREE & SHRUB PLANTING DETAIL
NO SCALE

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PRINT NAME: SEAN P. BOHAN

LICENSE # 46834

DATE:

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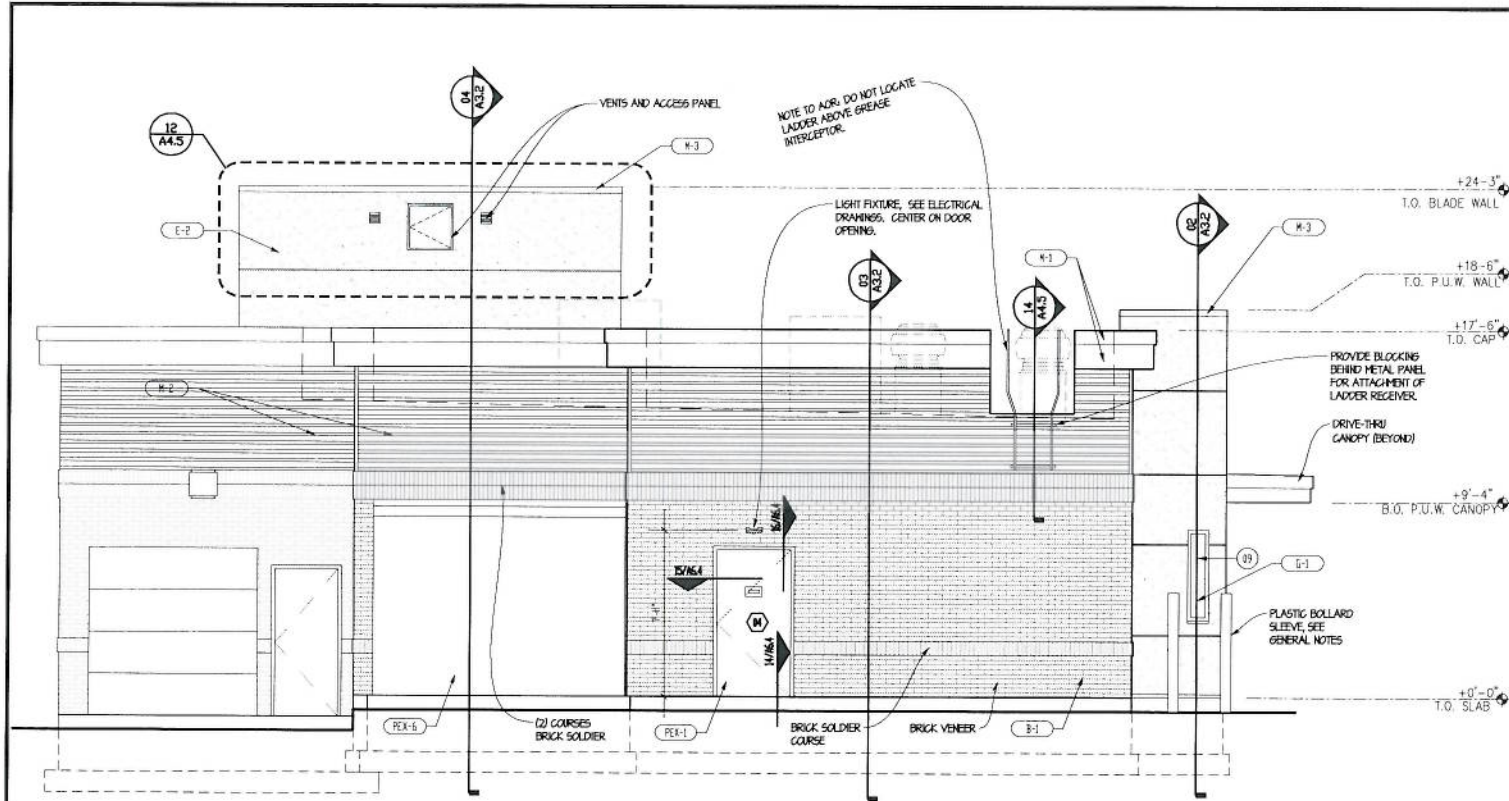
LANDSCAPE DETAILS,
NOTES

WENDY'S SITE PLAN 2015
WENDY'S FOURCROWN INC.
6500 LYNDALE AVE. SO.
RICHFIELD, MN

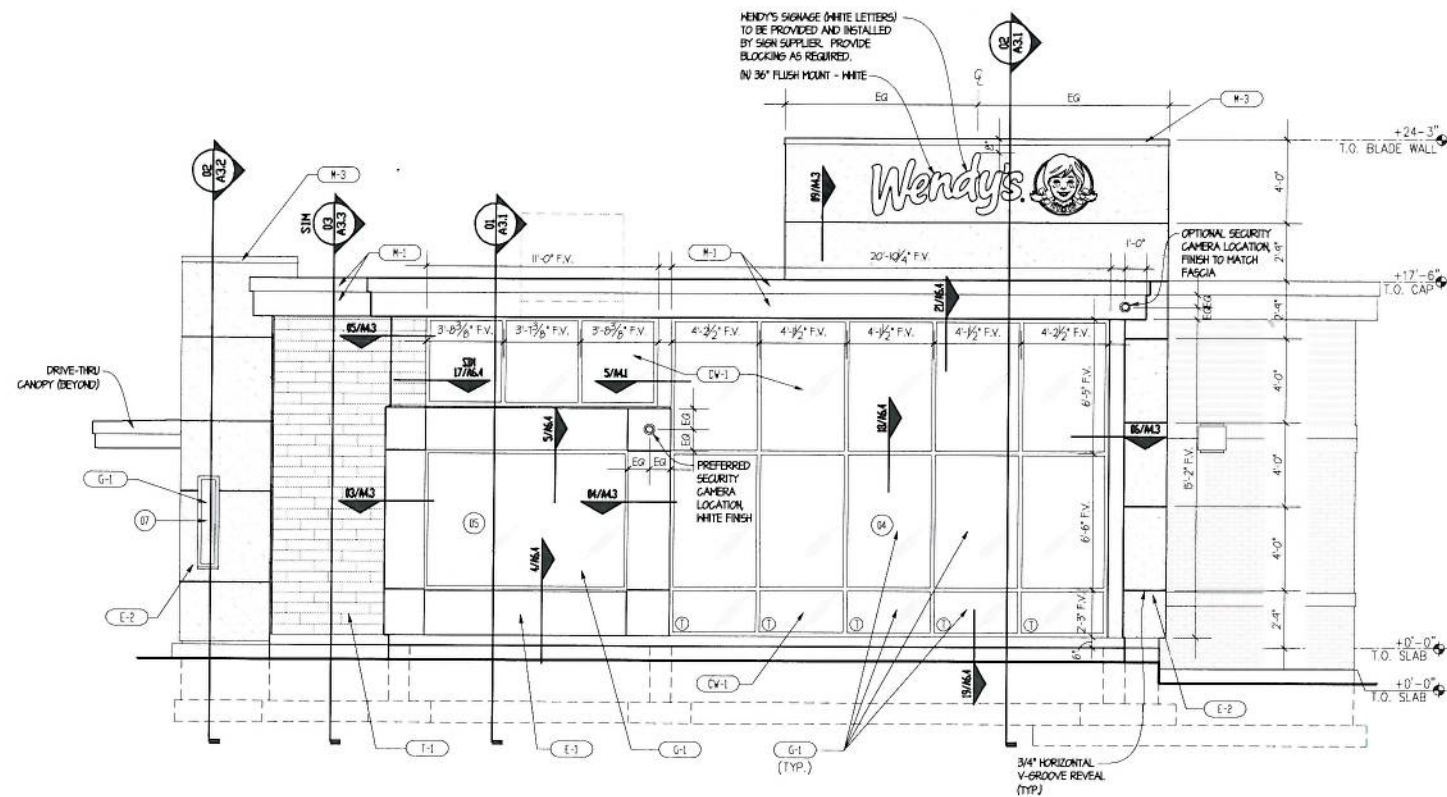
DWG NAME
14237 C2-1
SITE

DATE
1/2015

L2-1



02 REAR ELEVATION
SCALE: 1/4" = 1'-0"



01 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

EXTERIOR FINISHES LEGEND

NOTE: REFER TO SHEET A&1 FOR SPECIFICATIONS OF EXTERIOR MATERIALS AND FINISHES.

(B-1)	BRICK
(CW-1)	CURTAIN WALL
(E-1)	EXTERIOR INSULATED FINISH SYSTEM (EIFS) - "DOVER SKY" OR APPROVED MANUFACTURER'S COLOR
(E-2)	EXTERIOR INSULATED FINISH SYSTEM (EIFS) - "RED"
(G-1)	1" LGH E INSULATED GLASS
(G-2)	1" INSULATED SPANDREL GLASS
(G-4)	1/4" SPANDREL GLASS
(M-1)	METAL TRIM AND BREAK METAL (DARK BRONZE)
(M-2)	CORRUGATED METAL PANEL (DARK BRONZE)
(M-3)	METAL COPING (RED)
(PEX-1)	PAINT (COLOR: WENDY'S DARK BRONZE)
(PEX-2)	PAINT (COLOR: WENDY'S EXTERIOR RED)
(PEX-3)	PAINT (COLOR: WENDY'S DARK BRONZE - PYLON SIGNS ONLY)
(PEX-4)	PAINT (COLOR: WENDY'S GREY)
(PEX-5)	PAINT (COLOR: SAFETY RED)
(PEX-6)	PAINT (COLOR: WENDY'S DARK BRONZE - COOLER BOX ONLY)
(PEX-7)	PAINT (COLOR: WENDY'S FIELD BROWN)
(PEX-8)	PAINT (COLOR: WENDY'S ACCENT BROWN)
(PW)	PICKUP WINDOW
(SF-1)	ALUMINUM STOREFRONT SYSTEM
(T-1)	EXTERIOR TILE

OPTIONAL ROOF SCREENS:

CITYSCAPES UNIT-MOUNTED VERTICAL ROOF SCREEN SYSTEM WITH LOWER PANELS, STEP 2" TOP TRIM, COLOR: MANGARD BROWN.

WWW.CITYSCAPESINC.COM

SITE NUMBER:	1568
BASE MODEL:	E2000
ASSET TYPE:	FRANCHISEE
CLASSIFICATION:	NEW
OWNER:	OWNER NAME
BASE VERSION:	2014 OCT 08 R3
UPGRADE CLASSIFICATION:	FRAN NEW BASE
PROJECT YEAR:	2014
FURNITURE PACKAGE:	2014
DESIGN BULLETINS:	THRU DB 03





Wendy's.

REV	DATE	DESCRIPTION
▲		
▲		
▲		
▲		

ISSUE DATE

PROJECT NUMBER

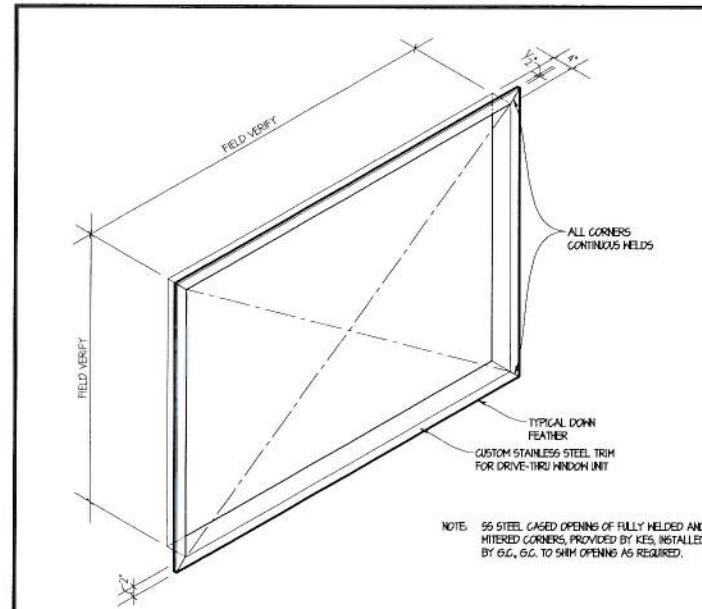
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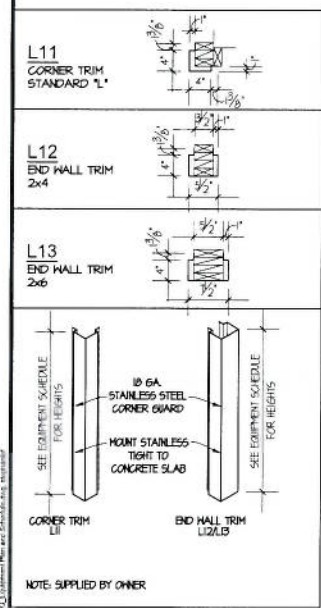
PROJECT TYPE: E2000
NEW

SHEET NAME
EXTERIOR
ELEVATIONS

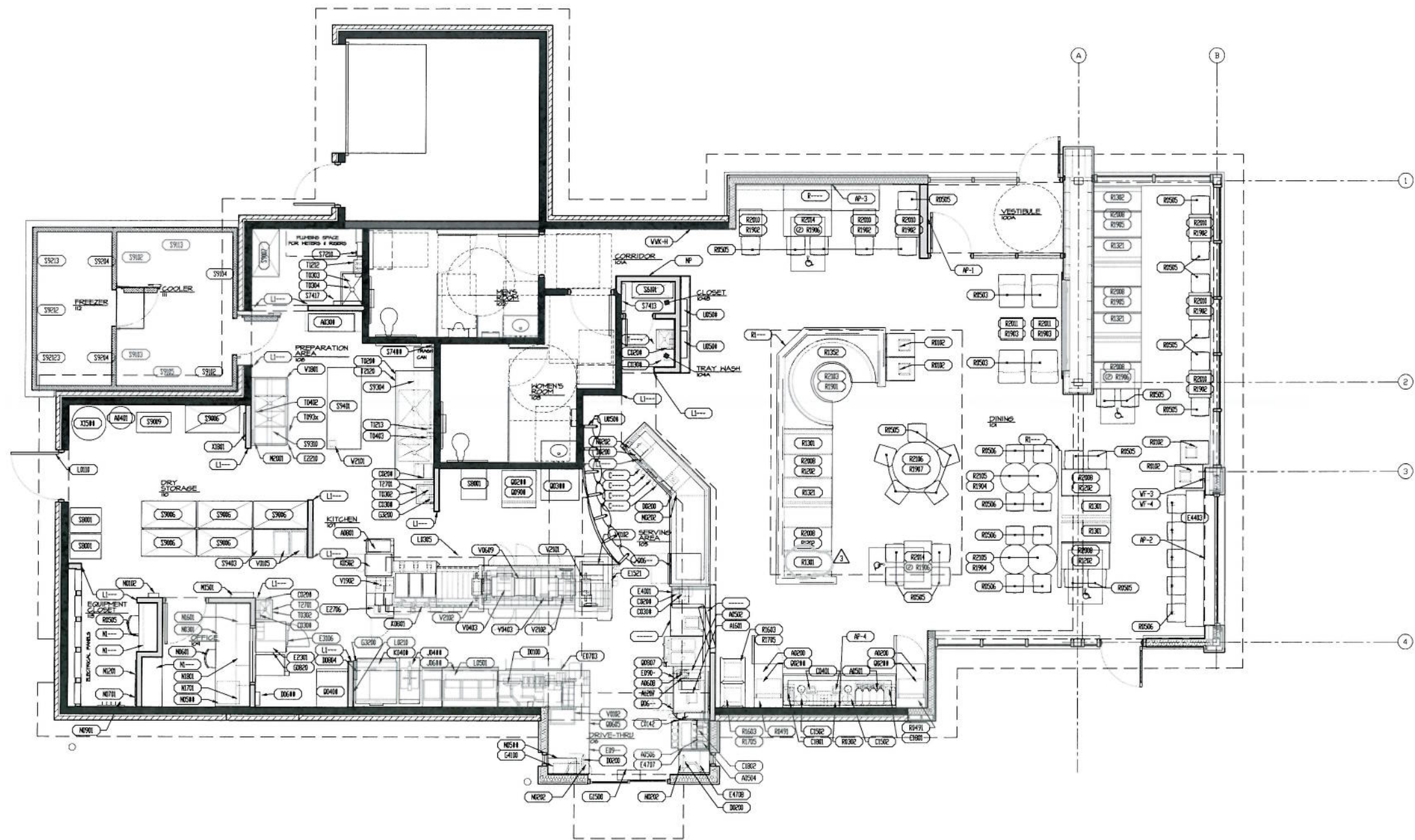
A2.2



03 CUSTOM WINDOW TRIM @ P.U.W.
NO SCALE



02 CORNER & WALL TRIM
N.T.S.



01 EQUIPMENT PLAN
SCALE: 1/4" = 1'-0"

ARTPACK & WAYFINDING LEGEND

KEY TO PROVIDE AND INSTALL ARTWORK AND WAYFINDING SIGNAGE	
AP-1	ENTRY BRAND MOMENT
AP-2	QUALITY IS OUR RECIPE
AP-3	DAVE THOMAS QUOTE
AP-4	MEDALLION WENDY'S SEAL
AP-5	QUALITY FOOD MADE FRESH IS OUR RECIPE
WF-3	W-FI SIGN
WF-4	NO SMOKING SIGN
WF-5	MEN'S ROOM DOOR SIGN
WF-6	WOMEN'S ROOM DOOR SIGN
WF-7	MEN'S ROOM DOOR SIGN ADA
WF-8	WOMEN'S ROOM DOOR SIGN ADA
WF-9	GREEN MUST WASH HANDS
WF-10	RESTROOM CLEAN, PLEASE
WF-12	EMPLOYEES ONLY
WVH-11	WENDY'S DITA
NP	NUTRITION POSTER

- GENERAL NOTES**
1. GC SHALL COORDINATE ALL REQUIREMENTS OF MILLWORK, SPECIALTIES, EQUIPMENT, AND FINISHINGS WITH OWNER PRIOR TO START OF WORK.
 2. ELECTRICAL & PLUMBING REQUIREMENTS FOR THE INSTALLATION OF MILLWORK, SPECIALTIES, EQUIPMENT, AND FINISHINGS IS THE RESPONSIBILITY OF THE GC.
 3. THE EQUIPMENT LISTED IS TO BE FURNISHED BY THE KITCHEN EQUIPMENT SUPPLIER UNLESS NOTED OTHERWISE.
 4. KITCHEN EQUIPMENT SUPPLIER PROVIDES LABOR FOR INSTALLING, ASSEMBLY AND SETTING OF EQUIPMENT.
 5. KITCHEN EQUIPMENT SUPPLIER SHALL SUPPLY CRITICAL DIMENSIONS, PLUMBING AND ELECTRICAL SPECIFICATIONS FOR EQUIPMENT SUPPLIED BY THE KITCHEN EQUIPMENT SUPPLIER.
 6. ELECTRICAL AND PLUMBING CONTRACTOR TO MAKE FINAL CONNECTION TO EQUIPMENT.
 7. SEE INTERIOR ELEVATIONS FOR ARTPACK GRAPHIC LOCATIONS.
 8. SIGNAGE TO BE SUBMITTED UNDER SEPARATE PERMIT.
 9. THE CONTRACTOR SHALL PROVIDE AND INSTALL SOLID WOOD BLOCKING FOR ALL WALL MOUNTED ITEMS, SIGNAGE, EQUIPMENT, MILLWORK, ETC. COORDINATE LOCATIONS WITH OWNER'S CONSTRUCTION REPRESENTATIVE AS NECESSARY.

SITE NUMBER:	1568
BASE MODEL:	E2000
ASSET TYPE:	FRANCHISEE
CLASSIFICATION:	NEW
OWNER:	FOURCROWN, INC.
BASE VERSION:	2014 OCT 08 R3
UPGRADE CLASSIFICATION:	
FRAN NEW BASE	
PROJECT YEAR:	2014
FURNITURE PACKAGE:	2014
DESIGN BULLETINS:	THRU DB 03



Wendy's

REV	DATE	DESCRIPTION
1		
2		
3		
4		

PROJECT TYPE: **E2000 NEW**

SHEET NAME: **EQUIPMENT PLAN**

SHEET NUMBER: **EQ1.1**

E2000 Standard | New Build | NGK Lite
Exterior Renderings

April 15, 2014



Customer Entry View

E2000 Standard | New Build | NGK Lite
Exterior Renderings

April 15, 2014



Pick-Up Window View



Dining Room View



Front Counter View



NGK Service Counter View



E2000 Standard | New Build | NGK Lite
Interior Renderings

April 15, 2014



Front Dining Room View

April 15, 2014



Fireplace & Soft Seating View



SENT VIA E-MAIL ONLY

January 14, 2015

City of Richfield
Attn: Melissa Poehlman (mpoehlman@cityofrichfield.org)
6700 Portland Avenue
Richfield, MN 55423

RE: Preliminary Approval of Site Plan for Richfield Wendy's
Location: 6500 Lyndale Avenue, Richfield, MN
Wendy's Site Number: 1568

Dear Melissa:

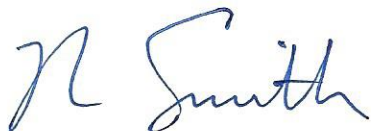
This letter serves as preliminary approval by The Wendy's Company ("Wendy's") of the attached Site Plan prepared by franchisee FourCrown, Inc. for the remodel of the above referenced site. The City has requested Wendy's to specifically approve the number of parking spaces at this site. By way of background, one of the ways that Wendy's measures the number of parking spaces required for a site is by comparing the number of seats to each parking space at a restaurant site. The existing site has 90 seats for 34 parking spaces resulting in a ratio of 2.65 seats per parking space. The proposed Site Plan has 74 seats for 33 spaces resulting in a ratio of 2.24 seats per parking space, which is a significant reduction of this ratio. Another way to look at this is that we are reducing our seating by 16 seats and only reducing parking stalls by one stall. These ratios are within acceptable tolerances.

In addition to Wendy's general approval of the Site Plan, Wendy's approves the seat to parking space ratio for the proposed Richfield Wendy's remodel depicted in the Site Plan.

Wendy's approval of the Site Plan is preliminary, and it will become final once the City of Richfield approves the Site Plan.

If you have any questions or concerns, please contact me.

Sincerely,

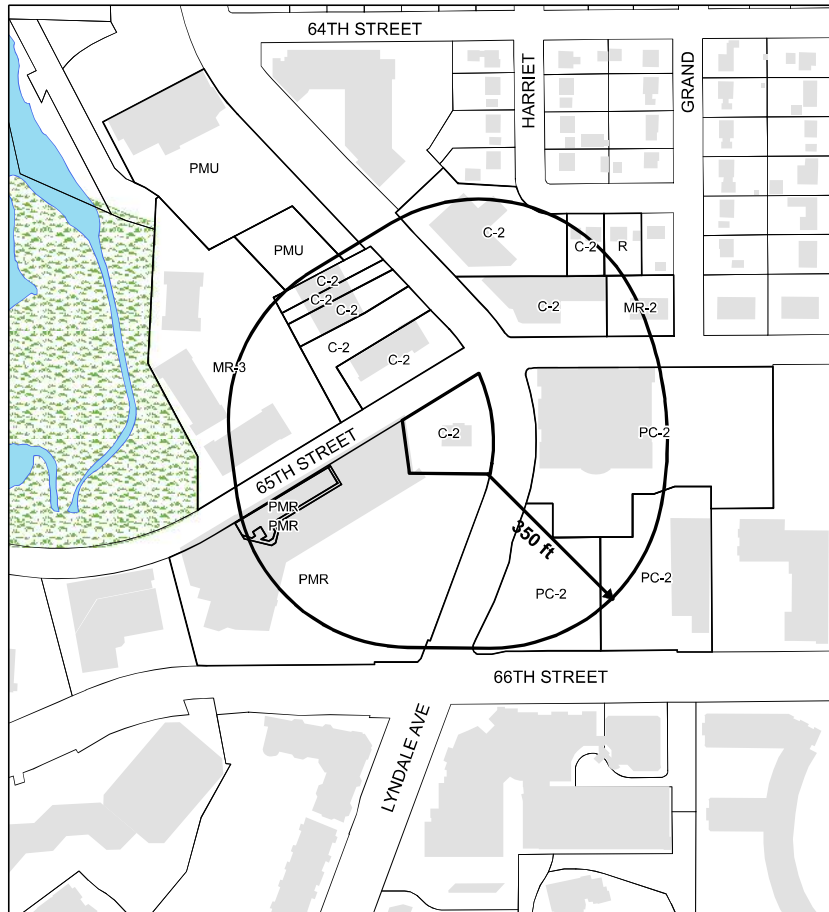
A handwritten signature in blue ink that reads "R Smith". The "R" is stylized with a large loop, and "Smith" is written in a cursive script.

Russell A. Smith
Real Estate Director
The Wendy's Company
Email: russ.smith@wendys.com
Mobile: 801-209-2728

Cc: Jerad Ducklow (jeradd@wendysfourcrown.com)
John Saunders (jsaunders@wendysfourcrown.com)
Vincent Beckwith (Vincent.Beckwith@wendys.com)

6500 Lyndale Ave - CUP VAR 1/2015

Surrounding Zoning



C-2 - General Commercial
 PC-2 - Planned General Commercial
 R - Single Family Residential
 MR-2 Multi-Family Residential
 MR-3 - High Density Multi-Family Residential
 PMR - Planned Multi-Family Residential

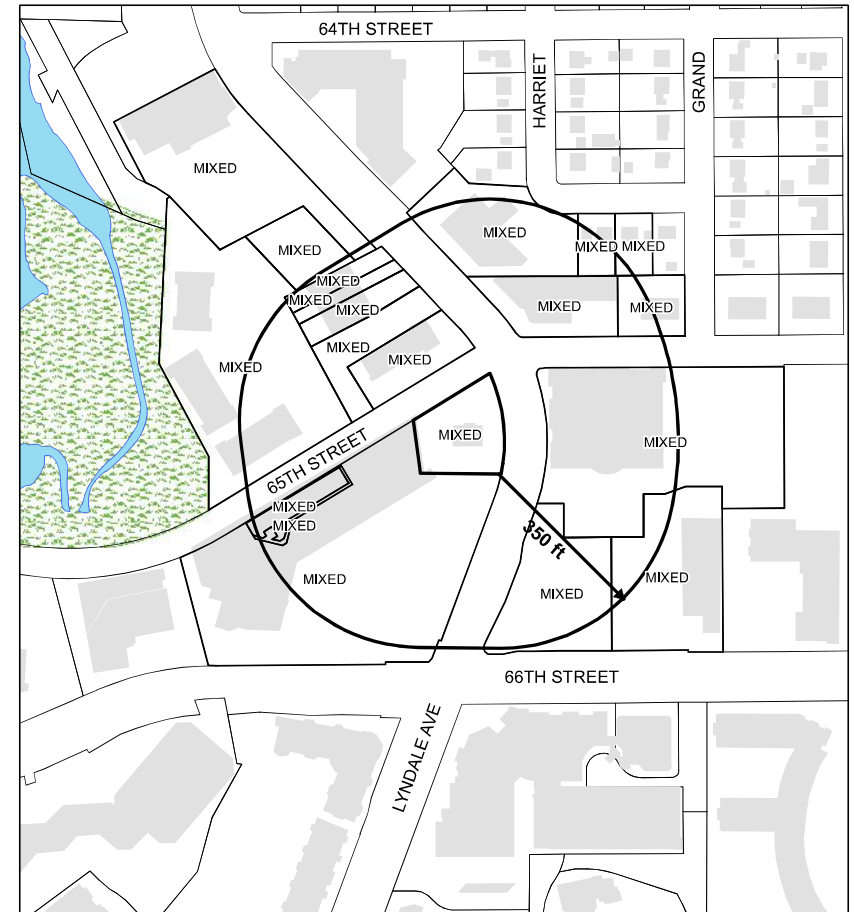
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6500 Lyndale Ave - CUP VAR 1/2015

Surrounding Comprehensive Plan



MIXED - Mixed Use

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